

COMBATING ANTI-SEMITISM: PROTECTING HUMAN RIGHTS

HEARING BEFORE THE SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS, HUMAN RIGHTS AND OVERSIGHT OF THE COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES ONE HUNDRED ELEVENTH CONGRESS SECOND SESSION

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COMBATING ANTI-SEMITISM: PROTECTING HUMAN RIGHTS

WEDNESDAY, APRIL 14, 2010

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS,
HUMAN RIGHTS AND OVERSIGHT,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:14 p.m. in room 2172, Rayburn House Office Building, the Honorable Russ Carnahan, (chairman of the subcommittee) presiding.

Mr. CARNAHAN. I want to call to order this Subcommittee on International Organizations, Human Rights and Oversight, and the hearing today on combating anti-Semitism and protecting human rights, and we will start with some opening statements from the members, and we will get onto our two panels.

But we do have some special guests with us today. I want to recognize Brian Grim from the Pew Research for being here and thank you, and also we have some special students with us. We have, my understanding, 34 fifth graders, they are here from the Jewish Primary Day School of our nation's capitol, and why don't you all stand for us. Welcome, and I understand you are studying government and also this week studying the Holocaust. So welcome, and we are happy to have you here. Let us give them a hand.
[Applause.]

This past Sunday, April 11, nearly 1,000 St. Louisans, my home city, attended the Shalom Kneseth Israel Synagogue to commensurate Yom HaShoah, or Holocaust for Memories Day. The event was hosted by the St. Louis Holocaust Museum and Learning Center.

After World War II, about 300 Holocaust survivors came to St. Louis. Today fewer than 150 survivors remain. Each year this commemoration takes on more urgency as fewer survivors are able to recount the terrible tragedies that they witnessed. While Holocaust survivors are still among us, we must strengthen efforts to speak out and combat Holocaust denial.

Today, we have with us Ms. Hannah Rosenthal, special envoy to monitor and combat anti-Semitism. I understand that her father is also a Holocaust survivor. We are honored to have her here today to talk about the Obama administration's efforts to combat Holocaust denial and other forms of hateful, derogatory anti-Semitism.

Anti-Semitism is not just rhetoric. It is a violation of human rights. Article 18 of the Universal Declaration of Human Rights, signed in 1948 under the Harry Truman administration, says,

“Everyone has a right to freedom of thought, conscious and religion, and this right includes freedom to change his religion or belief and free him, either alone or in community with others, and in public or private to manifest his religion or belief in teaching, practice, worship, and observance.”

The incidents of anti-Semitism are on the rise. According to Abraham Foxman, national director of the Anti-Defamation League, 2009 was, “. . . probably the worst year of global anti-Semitism since the Second World War.” There has been no country, no city, no continent that has not witnessed anti-Semitism, and we do not talk even about thousands and thousands of Web sites, millions upon millions of hits to reinforce anti-Semitism.

According to the Roth Institute for the Study of Contemporary Anti-Semitism and Racism at Tel Aviv University, violent acts against Jews worldwide more than doubled last year. In 2009, there were 1,129 anti-Semitic incidents. This figure is up from 559 incidents the previous year. It is the highest since the study began more than 20 years ago.

I would like to submit for the record a new report on rising anti-Semitism just released for the hearing today from the Pew Forum on Religion and Politics. Author Brian Grim, who I mentioned in the beginning, notes that although the global Jewish population takes up approximately .2 percent of the world’s population, governmental or societal harassment of Jews was reported in 55 countries, 28 percent during the 2-year period under examination.

Today, we will hear about efforts to combat anti-Semitism. I am interested in learning about the Obama administration’s effort to reduce anti-Semitism and the stigma and misconceptions about other faith through their interfaith dialogue. I would like to know how other measures our panelists are going to recommend to be more effective to enforce measures that combat anti-Semitism.

I would also like to hear more about the enforcement of laws to address Holocaust area restitution issues. For example, the Government of Spain has refused to return a painting expropriated by the Nazis to the owners, heirs, even though Spain is a signatory to the Terezin Declaration affirming its commitment to return looted art. Likewise, Lithuania has yet to enact a law to return communal property while Poland has yet to enact a law returning private property to Jewish owners.

We are also interested to hearing about efforts through international organizations to combat anti-Semitism and what can be done through the U.N., the Organization for Cooperation and Security in Europe and other international organizations.

Last May, the United States decided to join the U.N. Human Rights Council, reform it from within and use its voice and vote to focus attention on the worst abusers of human rights and away from an excessive focus on Israel. I am also particularly interested to learn about the status of anti-Semitism on Facebook, Twitter and YouTube. These media can be tools for liberation and freedom of expression, as we have seen in Iran and Venezuela, but they can also be used as tools to spread hateful and inciteful speech and dangerous ideas.

I want to now introduce our first witness. Well, actually I am not going to do that right now. I am going to turn to our ranking mem-

ber, Mr. Rohrabacher, recognize him for 5 minutes for his opening remarks as well.

[The prepared statement of Mr. Carnahan follows:]

Chairman Russ Carnahan
Subcommittee on International Organizations, Human Rights and Oversight

Opening Statement
“Combating Anti-Semitism: Protecting Human Rights”

April 14, 2010

This past Sunday, April 11th, nearly 1,000 St. Louisans attended Brith Sholom Kneseth Israel Synagogue to commemorate Yom HaShoah, or Holocaust Remembrance Day. The event was hosted by the St. Louis Holocaust Museum and Learning Center.

After World War II, about 300 Holocaust survivors came to St. Louis. Today, fewer than 150 survivors remain. Each year, Yom HaShoah takes on more urgency, as fewer survivors are able to recount the terrible tragedies that they witnessed. While Holocaust survivors are still among us, we must strengthen efforts to speak out and combat Holocaust denial.

Today, we have with us Ms. Hannah Rosenthal, Special Envoy to Monitor and Combat Anti-Semitism. I understand that her father is also a Holocaust survivor. We are honored to have her here today to talk about the Obama Administration’s efforts to combat Holocaust denial and other forms of hateful, derogatory anti-Semitism.

Anti-Semitism is not just rhetoric; it is a violation of human rights. Article 18 of the Universal Declaration of Human Rights, signed in 1948 under the Harry Truman Administration says, “Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”

The incidents of anti-Semitism are on the rise. According to Abraham Foxman, National Director of the Anti-Defamation League, 2009 was “probably the worst year of global anti-Semitism since the Second World War... there has been no country, no city, no continent that was not witness to anti-Semitic manifestations, and we do not talk about thousands and thousands of Web sites, millions upon millions of hits to reinforce people’s anti-Semitism.”

According to the Roth Institute for the Study of Contemporary Anti-Semitism and Racism at Tel Aviv University, violent attacks against Jews worldwide more than doubled last year. In 2009 there were 1,129 Anti-Semitic incidents; this figure, up from 559 incidents the previous year, is the highest since the study began more than 20 years ago.

I’d like to submit for the record a new report on rising anti-Semitism, just released for the hearing today, from the Pew Forum on Religion and Politics. Author Brian Grim notes that “Although the global Jewish population makes up approximately 0.2 percent of the world’s

population, governmental or societal harassment of Jews was reported in 55 countries (28 percent) during the two-year period under examination.”

Today, we will hear about efforts to combat anti-Semitism. I am interested in learning about the Obama Administration’s efforts to reduce anti-Semitism and the stigma and misconceptions about other faiths through inter-faith dialogue. I’d like to know what other measures our panelists recommend to more effectively enforce measures that combat anti-Semitism.

I would also like to hear more about the enforcement of laws to address Holocaust-era restitution issues. For example, the Government of Spain has refused to return a painting expropriated by the Nazis to the owners’ heirs, even though Spain is a signatory to the Terezin Declaration, affirming its commitment to return looted art. Likewise, Lithuania has yet to enact a law to return communal property, while Poland has yet to enact a law returning private property to Jewish owners.

We are also interested in hearing about efforts through international organizations to combat anti-Semitism, and what can be done through the United Nations, the Organization for Cooperation and Security in Europe, and other international organizations. Last May, the United States decided to join the UN Human Rights Council, reform it from within, and use its voice and vote to focus attention on the worst abusers of human rights and away from an excessive focus on Israel.

I am also particularly interested in learning about the status of anti-Semitism on Facebook, Twitter and Youtube. These new media can be tools for liberation and freedom of expression, as we’ve seen in Iran and Venezuela, but they can also be tools to spread hateful, inciteful speech and dangerous ideas.

I will now introduce our first witness.

Mr. ROHRBACHER. Thank you, Mr. Chairman. You will get it down right. He is our new chairman. And Mr. Chairman, let me congratulate you as a new chairman on deciding that this would be one of the first hearings that you would call for an organize. This is a vitally important issue for us, not only to understand where anti-Semitism stands in the world today, but to get to understand some of the root causes for anti-Semitism which has plagued this planet for thousands of years.

I am also very grateful to Mr. Chris Smith, who is to my left, and let me just note that he has been a champion on this issue and a role model for myself in terms of compassion and responsibility on these kind of issues, and I appreciate your leadership too, Mr. Smith.

Let us take a note about anti-Semitism, and just start this off by suggesting that I do not believe that the root cause for the expansion of anti-Semitism is the Palestinian-Israeli conflict. This notion is something that I think provides too many people an easy out in terms of understanding what anti-Semitism is all about, and it is not because the Israeli-Palestinian conflict that you have such anti-Western attitudes among some, if not many, Muslims. The fact is that there has been an anti-Western element to the Islamic societies over the centuries, and we have seen this, and there have been people, and today manifests itself quite often in the form of

anti-Semitism, but it goes much deeper than just a hatred of the Jews.

Let us note that we have a situation here in the United States where we have anti-semites who now have sort of again focused on the Israeli-Palestinian conflict as a means to promote their anti-Semitism, yet anti-Semitism existed among certain elements in the United States long before there was ever an effort by people to have a rebuilding of the nation of Israel.

So we need to understand some of these fundamentals if we are going to get at it. Remember we had an anti-Semitic terrorist movement in the United States that was very strong for about 100 years, if not 150 years, but about 100 years. It was called the Ku Klux Klan, and they marched around and with their crosses and talked about Christianity, and yes, not just repressing black people, but also anti-Semitism was a major part of their ideology.

So, today as we look at this issue, and I am looking forward to hearing the testimony, let us note some of the root causes for anti-Semitism and try to go beyond simply blaming the Palestinian-Israeli conflict, but we do know that with that in mind there is an unholy alliance today among anti-semites throughout the world and Muslim extremists who they themselves hate, not just Jews, but hate the Western way of civilization, that this unholy alliance threatens bloodshed and threatens violence not just aimed at Jews but aimed at all Western Civilization and all those who would uphold those standards of human rights that we hold dear.

So, Mr. Chairman, today it behooves us to get a better understanding of this issue and make sure that the American people have a deeper appreciation of the depth of the challenge that we face in trying to guard against this evil force in the world. Thank you very much, Mr. Chairman.

Mr. CARNAHAN. Thank you, Mr. Rohrabacher, and for your leadership on this committee. The issues that you have championed, and this is a good example of one that has brought bipartisan support, and I am also especially pleased, as you mentioned, to be joined by our colleague on the full committee Chris Smith of New Jersey who is one of the great champions of human rights in this Congress and I want to recognize him for 5 minutes as well.

Mr. SMITH. Mr. Chairman, thank you very much for extending the courtesy to join you on the committee. Thank you for convening this. It is one of the first hearing and it shows your priority, which is an extremely important one, combating anti-Semitism, and I thank you for that, and I want to thank Mr. Rohrabacher, the ranking member, for his kind remarks but also for his years, decades of championing human rights all over the world, including those rights against Jews all over the world. I want to thank him for that.

Let me just say you made a very good point in your opening about the idea of differences of opinion with the Palestinians. Natan Sharansky has over and over again pointed out that disagreeing with policies that may be promulgated or pushed by the Knesset or by whoever the existing prime minister might be is just the latest cover on the part of anti-semites to attack, to demonize, to de-legitimize Israel, and especially Jews, it comes from the far right, it comes from the far left, it comes from the skinheads. There

is a large collection, regrettably, of bigots who hate Jews simply because they are Jews, and now they use the pretext of disagreeing with the Israeli state as a means of promoting their hatred.

In the first decade of the twenty-first century more than any other time since the dark days of World War II Jewish communities worldwide have faced violent attacks against synagogues, Jewish cultural sites, cemeteries and individuals. It is an ugly reality that we know from experience it won't go away by ignoring it, a sobering reminder that our societies are filled with a collection of bigots who hate Jews. These bigots must be fought and they must be defeated.

I look out at the audience and I see Mark Levin, who when he was in his early career working with the NCSJ, now executive director, I had given a speech, Mr. Chairman, on the floor, the Hamilton Fish had called us together for a special order in 1981, and Mark was sitting in the gallery, and after I finished the very unremarkable speech came down and said you ought to go to Moscow, Leningrad with the NCSJ, which I did in January 1982, and certainly that was my true eye opener about what state-sponsored anti-Semitism hate looks like, and that, of course, was the Soviet style.

Unfortunately, we have seen over the years that it has gotten privatized in some cases. I chaired a hearing back in 1985, it was the first hearing ever as far as we know on this rising tide of anti-Semitism, and I remember several of our witnesses, some of whom are testifying today—just shows they are long stayers in this battle—talked about the privatizing of it, where the countries in question look to stance while those who harbor these ill thoughts and this pernicious form of hate would be somewhat have a free hand to do whatever they wanted against Jews, and that certainly is a serious problem although we see many states do, like Iran, practice this in a very systematic way.

You know, I believe one of the most important things we can do in fighting anti-Semitism is to keep reliable records on anti-Semitic hate crimes. Surely a surgeon can't remove a cancer or prescribe a course of treatment without documenting the nature, scope, and extent of the disease, and anti-Semitism is a vicious disease.

This is why in 2004, Mr. Chairman, as prime House sponsor of the Global Anti-Semitism Review Act, I offered an amendment to the already passed Senate bill which just called for a 1-year look at anti-Semitic hate, and that amendment created the State Department office to monitor and combat anti-Semitism, and the position of special envoy for monitoring and combating anti-Semitism, the position occupied by our distinguished witness who we will present in just a moment.

It is also why since 2002 I and other members of the Helsinki Commission have taken the lead within the Parliamentary Assembly for the OSCE, and then with the OSCE itself in trying to get the 56 participating states to focus, I know some who are here, Andy Baker, who is now our special representative in the OSCE, fighting to try to make other countries, and our own, aware of what our obligations are as governments to fight this. We worked within the OSCPA and of course the OSCE to make that all happen.

I also believe that another key to combating anti-Semitism is attention to policing and prosecution issues. Police and prosecutors must be trained on how to recognize and respond to anti-Semitic hate crimes. That is why within the Interparliamentary Coalition Combating Anti-Semitism, which I serve in the steering committee, I continue, along with the other members of that committee, to push for policing issues. If you get the police right, and when something occurs in any of our countries, it even happened in my own state, Mr. Chairman, where in one of our municipalities swastikas were painted on gravestones and they just chalked it off as just, you know, this some hooliganism.

So when we take on the French and say you have got to realize that that is a sign of hate, it also is equally hateful when it happens within our own borders.

We must, and I will conclude on this and would ask that my full statement be made part of the record, must never give into fatigue or indifference. You know, we cannot get compassion and fatigue. We cannot say we have been there, we have done that, why don't other people get it. Anti-Semitism remains what it has always been—a unique evil, a distinct form of intolerance, the oldest form of religious bigotry and a malignant disease of the heart that has often led to murder. It continues to threaten our Jewish brothers and sisters throughout the world, so we must redouble our efforts in the fight against this scourge of anti-Semitism.

Thanks again, Mr. Chairman, and I yield back.

Mr. CARNAHAN. I want to thank the gentleman from New Jersey, and without objection his full statement will be placed in the record.

I just got a text. We think we may have votes in 20 minutes to half an hour so we are hoping we can get through our first panel, and do votes, and then return for our second panel.

I want to introduce the administration's witness for today, Ms. Hannah Rosenthal. She is the special envoy to monitor and combat anti-Semitism for the Bureau of Democracy, Human Rights, and Labor of the State Department. Her father was a rabbi and Holocaust survivor. She has also studied to become a rabbi.

From 2005 to 2008, Ms. Rosenthal was executive director of the Chicago Foundation for Women, and prior to that she was executive director of the Jewish Council for Public Affairs for 5 years. Ms. Rosenthal served as midwest regional director for the U.S. Department of Health and Human Services during the Clinton administration, and has helped lead the Wisconsin Clinton-Gore Campaign in 1992 and 1996.

Ms. Rosenthal attended graduate school for rabbinical studies at Hebrew Union College in Jerusalem and L.A. and holds a bachelor's degree in religion from the University of Wisconsin.

Ms. Rosenthal, welcome. I understand this is your first appearance before a committee since your new position, so especially we want to welcome you today. Please proceed and we want to recognize you for 5 minutes, and then we will get to questions.

**STATEMENT OF MS. HANNAH ROSENTHAL, SPECIAL ENVOY TO
MONITOR AND COMBAT ANTI-SEMITISM, U.S. DEPARTMENT
OF STATE**

Ms. ROSENTHAL. Thank you so much. Chairman Carnahan, Ranking Member Rohrabacher, and members of the subcommittee, again this is my first appearance before you and I thank you for the invitation to testify, and I would ask that my full written statement be submitted for the record.

Mr. CARNAHAN. Without objection.

Ms. ROSENTHAL. The role of the special envoy and my office was created by the Global Anti-Semitism Review Act of 2004 and came out of this committee with your leadership, Congressman Smith. I recognize the great leadership role this committee has played and that your attention is key to this important human rights issue. Regrettably, the need for that attention has not diminished.

I am pleased to be here today also with Kenny Jacobson of the Anti-Defamation League, Rabbi Andy Baker of the American Jewish Committee, Elisa Massimino of the Human Rights First, and Rabbi Abe Cooper from the Simon Wiesenthal Center. Their work is absolutely critical, and I thank them for their contributions, and I look forward to working with them even more closely as we move forward.

Last Sunday was International Holocaust Remembrance Day where millions across the world honored the memories of the victims of the largest genocide in history. As mentioned, I am the child of a Holocaust survivor, the only survivor of his family. I have no grandparents, I have no aunts and uncles, no cousins. So fighting anti-Semitism is something very personal to me.

When I was old enough to somewhat understand what my father endured as the only member of this family to survive, I asked him how could he go on during the Holocaust, and he responded, "I survived to have you, Hannah," and those words he took the mantle off his shoulders and put it squarely on mine, and I have dedicated my life to eradicating anti-Semitism and intolerance with a sense of urgency and passion that only my father could give me.

On January 27th, I walked, voluntarily, through the gates of Auschwitz under the infamous "Arbeit Macht Frei" sign as a member of the official U.S. delegation to mark the sixty-fifth anniversary of the liberation of Auschwitz. In his remarks, President Obama eloquently reminded us that we are here as survivors not only to bear witness but to bear a burden.

Anti-Semitism occurs on every continent. This year the Department of State's International Religious Freedom Report and Country Reports on Human Rights Practices revealed an increasing trend in incidents of anti-Semitism cited in 74 countries, and the 2009 Pew Global Attitudes Project Survey showed very high levels of unfavorable views of Jews and Muslims globally. All of this together is a very troubling trend.

The outrageous statements by Iranian President Ahmadinejad that the Holocaust never occurred and that Israel and all Jews should be wiped off the world map are more than anti-Israel rhetoric. It is not land that would be drive into the sea, but Jewish people. The United States strongly calls for this destruction of Israel,

and finds reprehensible this explicit incitement to commit the most extreme violence.

In recent months, Europe has also seen some disturbing acts of anti-Semitism. In Poland, thieves stole the “Arbeit Macht Frei” sign at the entrance to Auschwitz. The sign was found a few days later cut into three pieces. The alleged ring leader, a Swedish neo-Nazi, was extradited to Poland a few days ago to stand trial. In Greece, two arson attacks damaged the historic Etz-Hayyim Synagogue, the last Jewish monument on Crete. Greek officials condemned the attacks with unprecedented open letter to the people of Greece.

Anti-Israel statements are increasingly the vehicle for anti-Semitism, often couched in demonstrations, cartoons and speech against the State of Israel. The legitimate role of public expression criticizing government policy can quickly cross over into hateful racial slurs and denunciations of the Jewish people themselves. This is unacceptable. We believe criticism of Israel crosses the line into anti-Semitism when, for example, it applies a double standard or compares the policy of Israel to that of the Nazis, or holds all Jews responsible collectively for actions of the State of Israel, or denies that Israel has a right to exist.

Natan Sharansky identified the three Ds that cross the line. It is anti-Semitic when Israel is demonized, held to a different standard or delegitimized.

Now let me describe briefly how my office and the Obama administration are fighting anti-Semitism. As my title indicates, we vigilantly monitor anti-Semitic acts and discourse. At the State Department, I work with all regional bureaus, the bureau multilateral efforts, as well as our diplomatic missions abroad. I am forging partnerships with key offices across the U.S. Government, including the National Security Council. I am also building on partnerships we have with scholars and nongovernmental organizations who help us document abuses and provide insights and ideas.

But combating anti-Semitism calls for more than monitoring. Bilaterally we encourage government to confront anti-Semitism within their own societies and reach out to their own Jewish communities. We also encourage partnership in international institutions. The Organization for Security and Cooperation in Europe has been a global pioneer in this regard and we play a leading role in their efforts against anti-Semitism. We strongly support the work of Rabbi Andrew Baker, the OSCE special representative on combating anti-Semitism.

This year Kazakhstan as OSCE chair will host a conference on tolerance and nondiscrimination at the end of June which I will attend.

At the United Nations anti-Semitism and anti-Israel sentiment often overlap. United Nations’ bodies have long shown a bias toward condemning Israel at a rate much higher than any other country. We continue to press for Israel to be treated fairly at the United Nations and other international organizations. We are pressing the U.N. Human Rights Council to live up to its mandate which encompasses treating Israel by the same standards applied to other countries and combating anti-Semitism.

In addition to diplomacy, we advance civil discourse. We promote public discussion on new forms of anti-Semitism, how to recognize it, how to combat it. We don't just confront intolerance, we are actively promoting tolerance. We are educating opinion leaders and policymakers how increasing levels of anti-Semitism are insidiously entering mainstream media and public settings.

Interfaith engagement reinforces religious tolerance. It is easy to criticize and even demonize people you have never met. Building relationships among different ethnic and religious communities are central to tearing down walls of hostility. We are actively engaging faith leaders to reinforce the importance of pluralism and protection of all religious minorities. Next week I will travel to Lithuania, Ukraine and Tunisia to advance these efforts.

This administration, the Department of State, and my office will continue to employ the full range of tools to fight anti-Semitism from reporting to international diplomacy, from training law enforcement to education, from multicultural relationship to public engagement. In so doing we must work hard to promote three things: Acceptance, respect and tolerance.

The Jewish story is a unique one and anti-Semitism has unique aspects, especially as we observe these days of Holocaust remembrance, but hate is hate, and intolerance is intolerance. Jews cannot eradicate anti-Semitism alone. We condemn intolerance against any and all religious or ethnic groups, and strive to eradicate it. Together we must combat anti-Semitism and promote tolerance so that in the twenty-first century this age-old scourge finally will be relegated to the past.

I look forward to working with you all, and Mr. Chairman, I am happy to answer your questions.

[The prepared statement of Ms. Rosenthal follows:]

**Testimony of Hannah Rosenthal
Special Envoy to Monitor and Combat Anti-Semitism
At a hearing entitled
“Combating Anti-Semitism: Protecting Human Rights”
Before the
House Foreign Affairs Subcommittee on
International Organizations, Human Rights and Oversight
April 14, 2010**

Chairman Carnahan, Ranking Member Rohrabacher, and Members of the Subcommittee, this is my first appearance before you, and I thank you for the invitation to testify. It is a deep honor for me to appear before this committee because it has long demonstrated great leadership in combating anti-Semitism. I am well aware that the role of the Special Envoy and my office was created by the Global Anti-Semitism Review Act of 2004, which came out of this committee. I recognize the special role this committee has played over the years in drawing attention to the problem of anti-Semitism. Your attention to this important human rights issue is welcome and appreciated. Regrettably, it is also needed.

I am also pleased to be here today with Kenneth Jacobson of the Anti-Defamation League, Rabbi Baker of the American Jewish Committee, Elisa Massimino of Human Rights First, and Rabbi Abraham Cooper from the Simon Wiesenthal Center. I want to thank them, and also commend them, for their significant contributions to this cause. They provide my office with up-to-date information, and thoughtful recommendations. Their work is absolutely critical to the cause of fighting anti-Semitism and I look forward to working even more closely with them in the days ahead.

Last Sunday, April 11, was International Holocaust Remembrance Day, where millions across the world honored the memories of the victims of the largest genocide in world history. The Holocaust was an attempt to obliterate an entire culture. We cannot bring back the dead from the gas chambers, extermination camps, and mass graves, but what we can do is recommit ourselves to remember them, and to educate future generations, collectively and repeatedly saying “never again.” In so doing, our task is not only the use of ringing words to show the world that we remember and we care. We also give those words meaning through our actions. In the words of Holocaust survivor Elie Wiesel, we must “create sparks in our hearts out of the ashes.”

As a child of a Holocaust survivor, fighting anti-Semitism is something very personal to me. When I was old enough to somewhat understand what my father endured as the only member of his family to survive and to escape Buchenwald, I asked him how he kept going through the Holocaust. He responded, “I survived to have you, Hannele!” In those words, he took that mantle off his shoulders and put it squarely on mine, and I have dedicated my life to eradicating anti-Semitism and intolerance with a sense of urgency and passion that only my father could give me.

This path led me on January 27th this year to walk -- voluntarily -- through the gates of Auschwitz -- under the infamous ‘Arbeit Macht Frei’ sign. I went to Auschwitz as a member of the official U.S. delegation to mark the 65th anniversary of the Liberation of Auschwitz. In his remarks for the commemoration, President Obama eloquently reminded us all that the survivors of Auschwitz “are living memorials. Living memorials to the spirit we must strive to uphold in our time—not simply to bear witness, but to bear a burden. The burden of seeing our common humanity; of resisting anti-Semitism and ignorance in all its forms; of refusing to become bystanders to evil, whenever and wherever it rears its ugly face.”

The problem of anti-Semitism occurs on every continent. Each year the Department of State’s Bureau of Democracy, Human Rights, and Labor, of which I am a part, prepares the Congressionally-mandated *International Religious Freedom Report* and the *Country Reports on Human Rights Practices*.

These reports include information on anti-Semitism gathered through our embassies and consulates, as well as information from a range of other sources such as non-governmental organizations with deep knowledge of these issues. This year, both reports revealed an increasing trend in incidents of anti-Semitism, with incidents cited in 74 countries.

The Pew Global Attitudes Project released survey results in 2009 on unfavorable views of Jews and Muslims. The survey found that negative opinions about Jews are on the rise in many countries. In Egypt, Jordan, and Lebanon, more than 95 percent of people hold a negative opinion of Jews, according to the Pew survey. In Spain, 46 percent of people surveyed held negative opinions about Jews in 2008, up from 20 percent in 2004. Some European countries are taking steps to address this concern. For example, the French government recently appointed a special coordinator to deal with anti-Semitism in response to an increase in anti-Semitic incidents.

The outrageous statements by Iranian President Ahmadinejad that the Holocaust never occurred and that Israel should be wiped off of the world map are more than anti-Israel rhetoric. It is not land that would be driven into the sea, but Jewish people. The United States strongly condemns this call for the destruction of the State of Israel, and finds reprehensible this explicit incitement to commit the most extreme violence. The world community has been uncomfortably quiet on this issue, with a few notable exceptions like Chancellor Merkel of Germany.

In recent months Europe has also seen some disturbing acts of anti-Semitism. In Poland, in the early morning hours, thieves stole the 'Arbeit Macht Frei' sign from above the entrance of the Auschwitz death camp site. The sign was found a few days later, cut into three pieces. On March 18, the Regional Court in Krakow convicted three Polish nationals who pled guilty to the charges and sentenced them to terms ranging from 18 to 30 months, and two more Polish nationals also face charges in the incident. The alleged ringleader, Swedish neo-Nazi Anders Hogstrom, reportedly intended to sell the sign to raise funds for neo-Nazi political activities. Hogstrom was arrested in Stockholm, and decided not to appeal a Swedish court ruling that he should be extradited to Poland.

In Greece, two recent arson attacks struck the historic Etz-Hayyim Synagogue, the last Jewish monument on the island of Crete. The first attack on January 5 caused damage to the exterior of the synagogue, and the second attack on January 16 destroyed nearly 2,000 books and severely damaged the wooden roof, floor, and offices. Greek officials widely condemned the attacks, and our embassy continues to engage with the Greek government and religious leaders to encourage greater understanding and to combat hatred. The Greek Prime Minister issued an open letter to the Jewish community, stating "The government, myself, and also the Greek people condemn in the strongest way the attacks and we are taking action to bring the perpetrators to justice... Anti-Semitism and racism do not have any place in Greek society."

Anti-Israel statements are increasingly the vehicle for anti-Semitism. Anti-Semitism is often couched in demonstrations, cartoons, and speech against the state of Israel. In countries with a high incidence of anti-Semitism, there are few public attempts to distinguish between anti-Semitism and anti-Israeli sentiment. The legitimate role of public expression criticizing government policy can quickly cross into hateful racial slurs and denunciations of the Jewish people themselves. This is unacceptable. For example, when anti-Israel protestors gather outside a synagogue, a sacred place of worship for the Jewish faith, and then proceed to march to an Israeli Embassy, there is a dangerous blurring of lines between legitimate political expression and opposition to people simply because of their religion.

Criticism of Israel is not necessarily anti-Semitic. Criticism of Israel crosses the line to anti-Semitism when, for example, that criticism applies double standards, comparing a current policy of Israel to that of the Nazis, or holds all Jews collectively responsible for actions of the State of Israel, or denies that Israel has a right to exist. Natan Sharansky identified the "three D's" that cross the line: "It is anti-Semitic when Israel is *demonized*, held to *different standards* and *delegitimized*."

The goal of fighting anti-Semitism is a high priority for the Obama Administration, and to that end my office has the most visible role. To elevate and better integrate the Special Envoy's mission into the overall mission of the Department of State, I work closely with the Assistant Secretary for Democracy, Human Rights and Labor Michael Posner to shape policies and messages in a way that reflects our commitment to combating anti-Semitism and promoting tolerance, as a critical component in the overall goal of promoting human rights.

Let me briefly describe the range of efforts my office and the Obama Administration as a whole is making to fight against anti-Semitism worldwide.

Monitoring - We vigilantly monitor anti-Semitic acts and discourse. I work with all regional bureaus within the Department of State, with the Bureau that manages our efforts at the UN and other international organizations, and with our diplomatic missions abroad to ensure timely and accurate reporting. I am forging partnerships with key offices across the U.S. government, including the National Security Staff at the White House. And I am building on the powerful partnerships we have with many scholars and non-governmental organizations that are active on this critical issue. As Secretary Clinton said in December in her Georgetown University speech on the Department of State's human rights agenda, "to be successful, we need to work bottom up." We seek to forge strong partnerships with academia and NGOs to help us document abuses and we welcome your insights and ideas on how most effectively to work to address such abuses.

Diplomacy - We will continue to raise concerns about anti-Semitism in the context of our bilateral relationships with other countries. We encourage other governments to take steps against anti-Semitic manifestations within their own societies. We encourage outreach by governments to members of Jewish communities. We also encourage governments to partner with us in international institutions such as the United Nations (UN) and the Organization for Security and Cooperation in Europe (OSCE) to those same ends. Governments can be part of the problem or part of the solution. We are ready to work with governments that want to be part of the solution, and call out those that allow anti-Semitism to flourish either through their actions or through their silence.

Through bilateral and multilateral diplomacy, and through our assistance programs, we are working with other responsible governments to reverse disturbing anti-Semitic trends. Secretary of State Hillary Clinton has made it clear that, "The United States has...led the fight in international institutions against anti-Semitism...." The Organization for Security and Cooperation in Europe, with its path-breaking Berlin Declaration of 2004, has been a global pioneer in combating anti-Semitism, and is a major focus of our multilateral efforts. We play a leading role at the annual OSCE Human Dimension Implementation Meeting, which addresses anti-Semitism and other forms of intolerance, as well as at special meetings of the OSCE devoted to the subject. And we strongly support the work of the OSCE Special Representative on Combating Anti-Semitism Rabbi Andrew Baker, from whom you will have the privilege to hear in the next panel. This year, Kazakhstan has assumed the OSCE Chair and will host a high-level conference on Tolerance and Non-Discrimination in June in Astana, in which I and the U.S. delegation will participate actively.

At the UN, anti-Semitism and anti-Israel sentiment often overlap. United Nations' bodies long have shown a bias toward condemning Israel at a rate much higher than any other country. We continue to press for Israel to be treated fairly at the UN and in other international organizations.

Last year, the United States joined the UN's Human Rights Council, the UN's intergovernmental body responsible for strengthening the promotion and protection of human rights around the globe. We are assertively exercising our presence on the Council to press it to live up to its mandate. This mandate includes addressing human rights violations and making recommendations to strengthen adherence to human

rights norms. This encompasses holding Israel to the same standards applied to other countries and combating anti-Semitism.

Advancing Civil Discourse. We promote public discussion on the nature of new forms of anti-Semitism – how to recognize it and ways to combat it, working with NGOs and civil society groups to foster thoughtful and problem-solving discussions. We do not just confront intolerance, we actively promote tolerance. We seek to educate opinion leaders and policy makers about increasing levels of anti-Semitism and how it is insidiously entering mainstream media and public settings globally. This includes the reemergence of anti-Semitism in western media, as well as in Arabic and Farsi-language regional media.

Interfaith Initiatives. Interfaith engagement, coupled with community relations and civil society outreach, reinforce religious tolerance, which is crucial to our success. As with any form of prejudice, anti-Semitism is based in ignorance and fear. It is easy to criticize and even demonize people you've never met. Building relationships among different ethnic and religious communities is central to tearing down walls of hostility. With increased dialogue, there is less room for stereotypes to spread. We are actively engaging faith leaders around the world, which is critical to fostering respect and understanding between communities and countries. This reinforces the importance of pluralism and the protection of the rights of all religious minorities. Next week, I will travel to Lithuania, Ukraine, and Tunisia to advance these efforts.

One recent example is the Interfaith Cooperation event co-sponsored by the United States and Indonesia, a direct response to President Obama's challenge in his Cairo speech to turn interfaith dialogue into interfaith service. The U.S. delegation included leaders of eight faith communities. Two prominent leaders in the American Jewish community served on the delegation: Rabbi Brad Hirschfield of the National Jewish Center for Learning and Leadership and Rabbi Gerald Serotta of Clergy Beyond Borders.

We will take advantage of all opportunities to increase understanding and combat anti-Semitism. King Abdullah of Saudi Arabia has led a series of international interfaith summits that included the participation of Jewish leaders. The King Faisal International Prize for Medicine in 2009 was awarded to Stanford University cancer expert Dr. Ronald Levy, reportedly the first American Jewish scholar to win such a prize in Saudi Arabia. Though modest, this presents an opportunity to reach out to the symbolic core for Muslims around the world, where anti-Semitism remains a significant problem.

The Obama Administration is strongly committed to partnering with Congress, the NGO community, religious groups, academia, foreign governments, and within international institutions to combat anti-Semitism in all its manifestations across the globe. My office, and colleagues at the Department of State, will continue to fight anti-Semitism on all fronts. To be effective, we must employ the whole range of tools—from reporting to international diplomacy, law enforcement, education, multicultural relationships, and public engagement. In so doing, we must work hard to promote three things: Acceptance, Respect, and Tolerance.

Although the Jewish story is a unique one and anti-Semitism has unique aspects – and is a story that must be told – hate is hate and intolerance is intolerance. Jews cannot eradicate anti-Semitism alone. We condemn intolerance against any and all religious and ethnic groups. We strive to eradicate anti-Semitism along with intolerance of other groups. It is in everyone's interest to work together to promote tolerance of people of all backgrounds. Together we must combat anti-Semitism and promote tolerance so that in the 21st century this age-old scourge finally is relegated to the past. I look forward to working with you all.

Mr. Chairman, I am happy to answer your questions.

Mr. CARNAHAN. Thank you again for your great overview and presentation here to the committee. I want to start, I guess, with questions about this past Sunday and Holocaust Remembrance Day, and as we see the democratic trends of Holocaust survivors passing away and fewer and fewer of them around to tell of their experience. I guess can you talk about the status of Holocaust denial laws in the world, and how they are addressing this issue, and any countries in particular that you think serve as models for best practices in terms of how to address that?

Ms. ROSENTHAL. There are several good stories I can tell you. Before I walked through the gate to Auschwitz we met with 29 ministers of education from around the world, and the focus of that meeting was the status of their Holocaust education, and while uneven, all 29 states spoke about the importance of their education and how they are addressing it in their countries, and I considered that very good news.

Mr. CARNAHAN. Can you cite any other best practices of countries that have taken positive action to combat anti-Semitism and have any of those steps that you think could be replicated to other countries as a model?

Ms. ROSENTHAL. I have a few examples for you. The incidents of anti-Semitism in the U.K. has gone up hugely and it is a cause of great concern, and two members of Parliament decided that this was to be a national priority there, and they did an investigation, which resulted in the creation of a body called the Interparliamentary Coalition to Combat Anti-Semitism, and they are working with parliamentarians throughout the country to not only address but to strategize how do we eliminate anti-Semitism with our youth, with our older people and with everyone in between. They are kind of taking the show on the road and they are using that as a model in training many European countries on how to put together that kind of investigation and how to create an interparliamentary coalition as a result. They, by the way, will be having a meeting in November in Canada, which I am hoping you all will attend.

France saw a tripling of incidents in 2009, and their response was to do what you all did, and that was to create a special envoy position, and that special envoy did come to meet with me to see how I plan to address the issue and mobilize agencies within the government and outside of government in a coordinated manner employ diplomacy, civil discourse, education, interfaith and intergroup relationship building.

Mr. CARNAHAN. And on that I guess just to follow up on that topic, during the President's speech in Cairo in June 2009, he emphasized the importance of interfaith dialogue and interfaith actions. To what extent do you think that these kind of projects can help reduce the stigma and stereotypes around Judaism, Islam, Christianity, and to what extent do you believe they can be a useful tool, and I guess could you elaborate more on how the administration is using that?

Ms. ROSENTHAL. Well, I agree that it is a very, very important tool. It is a critical tool. Everywhere I go, whether it is in a community in this country or abroad, I, of course, meet with government officials and I meet with the Jewish community to find out what

their concerns are and how they are weathering the reports that we hear, but I make a point of also meeting with organizations that are working interfaith and interethnic advocacy.

Jews cannot fight anti-Semitism alone. Muslims cannot fight hatred against Muslims alone, and it goes on for all vulnerable populations, and we have to recognize the common threads of hatred and how we have to work together to fight it.

Mr. CARNAHAN. One more question, then I am going to yield to our ranking member, but I mentioned technology in my opening remarks, and the new technologies, YouTube, Facebook, Twitter, in terms of getting information out. It has been such a positive tool on the one hand, but the implications of the negative use of those technologies as well, if you could comment on really how you see this technology being used, how we can use it in a positive way, and is your office involved in that new media?

Ms. ROSENTHAL. Well, I will tell you that just a few days ago they put me on Facebook, but I will tell you I have no idea how to use it yet. The department is using Facebook, Twitter, and Web sites that are constantly being added information and trying to figure out ways to be more user friendly.

There is no question that the new technology and new communication tools represent both opportunities and huge challenges. We in this country treasure our First Amendment. However, when there is hate speech online and there is hate speech in the public discourse, it is not good enough just to protect freedom of expression. We have to call it out, and that is what we are focusing on: How do we use these new technologies to make sure accurate information is being put forth, and in addition we are calling out the bad speech, and condemning it strongly.

Mr. CARNAHAN. Thank you. I want to yield now to the ranking member, Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much, Mr. Chairman. I would like to ask our witness, do you think our President has been forceful enough in calling out this hate speech and anti-Semitism?

Ms. ROSENTHAL. I absolutely do. I find his words very inspirational.

Mr. ROHRABACHER. Can you give me quotes that he has said about when he was apologizing to the Mullahs in Iran about how the United States have had a bad—have done bad things to Iran that might have caused ill will, do you have something that he also added in condemning their anti-Semitism of the current Iranian mullah regime?

Ms. ROSENTHAL. In our bilateral relationships and our multilateral relationships, this is a high priority. We consider Holocaust denial, Holocaust glorification, which unfortunately is out there, absolutely unacceptable, and the administration is deeply committed to doing so. I have—

Mr. ROHRABACHER. I am just going to have to tell you, and I again I am trying not to be partisan here, but obviously I am a Republican and I am a little sensitive when a President of the United States begins in an apologetic tone to a regime like the mullah regime in Iran.

You are saying that you are confident that he has offset that with other public statements that condemned anti-Semitism in Iran?

Ms. ROSENTHAL. I think the President has been very firm, as has the Secretary of State in—by the way, in my position, which has been elevated and integrated into the workings of the entire State Department, in elevating my visibility and my access to all parts of the department is an indication of an increased commitment and a strong support.

The President speaks so inspirationally, and when he condemns hatred against one group, it is condemning hatred against all groups, and he has been very strong in his support of the Jewish community and in calling out anti-Semitism.

In his comments on Holocaust remembrance and when we were in Auschwitz in January, I only quoted a little bit of what he said when I quoted him here, but very movingly he talked about our responsibility to recognize what happened is unique to Jews, and how we take those lessons and translate them into a better world where hatred against anyone is eradicated.

Mr. ROHRABACHER. Well, I am sorry I am not being too more general here because, frankly, broad statements with flowery words do not move me. What moves me is specific statements, when you say “calling out” you are not talking about making a general statement against anti-Semitism or condemning the Holocaust, we are talking about specific statements toward a regime that is a monstrous regime that we should have helped their people overthrow their own government a long time ago, and the mullahs—and what we have is a President going over there and apologizing for what we have done in the past. I would hope that that did not give people the impression that United States—people of the United States in some way are ignoring the anti-Semitism elements as well as the anti-Western elements that are going on in Iran today.

The Islamic culture is expanding into Europe and there are repercussions of this, and we see the moves by the banning of head scarves and minarets and things like that that have been popping up in various countries, Switzerland, et cetera.

Now does this type of let us say response to the expansion of the Islamic culture, is that leading to anti-Semitism in these countries?

Ms. ROSENTHAL. There is never an excuse, I don’t care what it is, for anti-Semitism.

Mr. ROHRABACHER. Of course.

Ms. ROSENTHAL. And anybody who uses some kind of excuse, whether political, religious or whatnot, is to be condemned. When I used the word “call out” before, that is what I meant, strongly condemned.

Mr. ROHRABACHER. So they can actually ban the head scarves and do these things without having to worry that this is going to have an anti-Semitism response?

Ms. ROSENTHAL. Well, we believe strongly in this country of the freedom of expression, the freedom of religion, people should be able to practice their religion, including wearing head scarves or caput for Jews, and we totally oppose laws that would make that criminalized. Freedom of expression, people should be able to freely

represent themselves, whether it is their religion, and the list goes on.

So, no, and we speak out against that when France proposed that.

Mr. ROHRABACHER. Well, as you can tell I am a little bit concerned about what I considered to be lack of a tough position with what is obviously an overtly anti-Semitism regime in Iran, the President, I don't believe, has been tough enough, but let us go on.

He has been pretty tough on Israel on the other hand. I mean, Israelis refurbished some apartment buildings, and all of a sudden they have become the enemies of peace, and do you think that the President's tough stand on that has helped alleviate or contributed to the anti-Semitism in the Middle East?

Ms. ROSENTHAL. The anti-Semitism in the Middle East is there for any different root causes and—

Mr. ROHRABACHER. Sure.

Ms. ROSENTHAL [continuing]. One of them isn't what the President says.

Mr. ROHRABACHER. Okay, so the President of the United States' tough rhetoric with Israel but not so tough rhetoric with the Iranian mullahs doesn't send a message?

Ms. ROSENTHAL. I obviously see it very differently, Congressman.

Mr. ROHRABACHER. All right. I see that my time is up and let me just thank the witness for putting up with my very pointed questions.

Ms. ROSENTHAL. Thank you.

Mr. ROHRABACHER. Thank you, Mr. Chairman.

Mr. CARNAHAN. I want to thank the gentleman, and now recognize our colleague from the committee, Mr. Ellison, for 5 minutes.

Mr. ELLISON. Thank you, Mr. Chairman, and thank you to the witness. Welcome to this committee.

Ms. ROSENTHAL. Thank you.

Mr. ELLISON. I would just like to read a quick statement if I may.

Chairman Carnahan, thank you for holding this important hearing today on combating anti-Semitism. This past Sunday we observed Yom Ha'atzmaut in which we remember all those who died and suffered because of the Holocaust. We also mourn our collective failure to prevent such a horrific tragedy. It is a painful lesson of dangers of inaction, and we remind ourselves that we must never be complacent in the face of genocide, xenophobia, intolerance and hatred.

As we remember those who were killed in the Holocaust, we must also commit ourselves to combat the same discrimination that continues today. Incidents of anti-Semitism dramatically increased in 2009, and I am committed to speaking out against all acts of anti-Semitism regardless of where they originate. This is why it is also important that we are holding this important hearing today.

I just want to note that in 1983, when I was 19 years old, I went to Poland as a student exchange participant, and we went to Auschwitz, they call it "Oswiecim," and you know, I just think that is something that every person of any age could do because it does dramatically demonstrate what depths humanity can sink to, and it just reminds me that we all have to be vigilant.

I have also been to Yad Vasshem. I have also been to the Holocaust Museum even in Amsterdam and Norway, and I can tell you that every time I go to a place like that it renews my commitment to try to speak up when people are threatened based on who they are, what they believe, what they look like, and even what their gender is. You know, sadly there are occasions in the world we live in right now where people because of their gender are being persecuted, abused, raped, but whether it is religious persecution as in the Holocaust or whether it is ethnic cleansing persecution or whether it is other types of abuse, it is something that I hope this Congress always stands against.

So I yield—well, I don't really have any questions. I had the privilege of meeting with the special envoy and she answered all my questions, but I just want to let you know how proud I am of the work you do.

Ms. ROSENTHAL. Thank you.

Mr. ELLISON. And I encourage you to just keep it up. Please call on us.

Ms. ROSENTHAL. Thank you very much, Congressman.

Mr. CARNAHAN. I want to thank the gentleman. I now recognize our colleague, Mr. Smith, for 5 minutes.

Mr. SMITH. Thank you very much, Mr. Chairman.

Ms. Rosenthal, thank you for your testimony.

Ms. ROSENTHAL. Thank you.

Mr. SMITH. And for the information you have provided. Let me just ask a couple of questions.

First, on two previous occasions I actually had Natan Sharansky testify at hearings on anti-Semitism. One of those hearings he brought with him a number of clips from Arab television that included a soap opera where blood libel was treated as if it were a reality rather than a horrific lie, and also some news clips, and made the point that many people in the Middle East and many people who are part of diaspora who live in Europe, France and elsewhere feed on that kind of anti-Semitic hate in all aspects of their life. They watch it on television, they see it in their news programming, and when you are young and impressionable especially that will lead you to think, oh, it must be true.

Rabbi Baker in his testimony points out that in an example in Sweden of a newspaper called "Aftonbladet"—I may be mispronouncing it—published a report from Gaza claiming that Israeli soldiers were harvesting organs from Palestinians that they had killed. This updated version of the medieval blood libel charge was openly denounced by political leaders in the United States and in some European capitals. However the Swedish foreign ministry maintained in that in its press freedom laws do not permit its own public officials to criticize the article, and they even reprimanded their own ambassador who made some comments contrary to it.

You know, these are some of the problems obviously face, and Andy Baker faces it as he travels throughout Europe. I wonder if you could tell us what your plans are in terms of active monitoring.

When Sharansky presented his testimony everyone if us, Democrat and Republican alike, sat there, our mouths practically dropped, and we said, we never knew. You know, none of us have ever seen that before. And I am wondering if you have other than

the data calls that go out to our embassies for information, if you have any plans to look at print, especially the broadcast media, especially the entertainment media, because, again, this influence that this has is pernicious. If I could, active aggressive monitoring would be the point there, particularly of the broadcast.

Secondly, on staffing, I remember when John Shaddock sat right where you sit and I chaired the Human Rights Committee, and Frank Wolk had a bill called the International Religious Freedom Act. The administration, the Clinton administration was completely against it, completely. The bill died a death of 1,000 deaths as it made its way through the House and the Senate. I held all the hearings on it. And when it was finally passed, obviously it took awhile for it to get up and running, but John Shaddock sat there and said it would set up a hierarchy of human rights when it came to religious freedom, all of it was unfortunate. Thankfully not a true response, and then the administration became advocates for it.

When the Global Anti-Semitism Review Act came up, Colin Powell, Secretary of State, wrote a several page letter saying it was unneeded, we already had that covered by IRFA, and again we ran into one of those things where don't worry about it, we have got it covered.

We responded very aggressively, passed the bill. It was a Senate bill, but as I said at the beginning it was going to be a 1-year review. I offered the amendment to say I am going and you in an office is in charge of it. I am very concerned about the trend of—again of maybe double hatting, maybe not your position, but the staff. And if you could speak to—we need, I believe, dedicated staff that is integrated and working with IRFA and other State Department personnel who are talented and have part of their portfolio, or all of their portfolio working these issues, but I would hate to see the specialness of your office diluted, and that is what I would believe it to be if you didn't have dedicated staff, so if you could speak briefly to the staffing issue.

And finally, before my time runs out, I have a lot of other questions, but the Inter-Parliamentary Coalition for Combating Anti-Semitism, I think everybody in that front row was there and spoke at it, I spoke at it in London. Jonathan Mann, a member of the Parliament, had done an outstanding job. I am one of the founding members, and I hope all of us go on November 7th to the 9th to Canada to be a part of it.

But let me ask one final question on the Internet. We hear among our OSCE friends over and over again that the free speech, and I am a passionate defender of First Amendment free speech, but when it comes to hate speech and incitement, we know obscenity is not protected speech, I am a sponsor of the Global Online Freedom Act which protects nonviolent political speech, nonviolent religious speech. I want nothing to do—that is not free speech in my opinion, especially when it inures so horrifically against Jews because it just does terrible things. I mean, I have seen some of it at the side issues at the parliamentary assembly meetings, and you can't watch that without saying, how can that be protected speech. So the internet, if you could speak to that as well.

Ms. ROSENTHAL. Well, your first question kind of links to the third question, and that is, how aggressively and actively am I

monitoring the messages and the media, and it is bone-chilling. I do have much more recent clips, which I would be happy to share with you if you really want to have a bad afternoon. Tapes of people looking at the camera, and this is on Al-Jazeera, so it is watched by millions of people, where clerics are calling for a new Holocaust, where they show actual footage of the Holocaust and say, isn't this wonderful what humiliation we are watching, next time we hope we can be part of it. I mean bone-chilling. There aren't words strong enough to condemn that, but representing free speech and not calling that what it is—hateful, disgusting and using every diplomatic tool we have to condemn it—would be the wrong thing and we are using all the tools.

The Internet, then you know because John Mann, who is the member of Parliament in U.K., really believes that bad Web sites need to be shut down, and he and I have a good little tussle when we are talking because I say, the answer to bad or hateful speech is more good speech, and that we need to respond to it, not try to shut it down because it cannot be shut down. They would just come over here, open up a Web site, and do their technology, which I don't understand.

It is very serious. It can be used to incite to violence which is absolutely the only exception we in the United States Government use. First Amendment rights and freedom of expression is paramount except when it comes to incitement to violence, and there are examples where there is incitement to violence and we raise it with the television stations and we raise it with the ambassadors, and with the NGOs on the ground that are trying to deal with it.

Mr. SMITH. The staffing?

Ms. ROSENTHAL. The staffing. Nothing I have needed has not been responded to. I work with a great team at the Department of State. I mentioned that I have been brought into the building up on the 7th floor. I have a front office of the Bureau of Democracy, Human Rights and Labor. I work directly with Assistant Secretary Mike Posner, and very closely with the International Religious Freedom staff. I can't begin to tell you how helpful it is.

It is not being diluted. It is being elevated, and I am integrated into every directors' meeting, every senior staff meeting, I am there asking the questions that need to be asked, and I think you would be proud of how well the department is supporting me and how much access and help I get.

Mr. CARNAHAN. Thank you.

Mr. SMITH. Just 2 seconds?

Mr. CARNAHAN. Without objection I yield.

Mr. SMITH. I appreciate your yielding.

And ambassador-at-large for religious freedom, will that person be named soon?

Ms. ROSENTHAL. There has been a person identified and the person is being vetted currently.

Mr. SMITH. Okay.

Mr. CARNAHAN. That is good news.

Ms. ROSENTHAL. I am glad you asked.

Mr. CARNAHAN. I want to thank you for being here. Congratulate you on your new position, for the work that you do. We look for-

ward to working with you on many of these challenges, especially the time spent today. Thank you.

Ms. ROSENTHAL. Thank you so much.

Mr. CARNAHAN. I think what we will do with votes being called, we have four votes, and I think what I would like to do just to pick up some time is have the second panel come up. We will do a quick introduction of the four on the panel, and then we will break, do our votes, and come back, and we can jump right into questions.

Welcome to all of you for being here. Thank you for being a part of this hearing. I want to start with Mr. Kenneth Jacobson. He will be our first witness for this panel. He is the deputy national director for the Anti-Defamation League. He is also the former director of the International Affairs at ADL.

Mr. Jacobson holds a master's degree in American history from Columbia University, earned his bachelor's degree in history, and Hebrew literature at the Yeshiva University. Welcome.

Next, Rabbi Andrew Baker. He is the director of International Jewish Affairs for the American Jewish Committee. In January 2009, he was appointed the personal representative of the OSCE chair in office on combating anti-Semitism, and was reappointed in 2010. Rabbi Baker served as AJC's director for European Affairs from 1992 to 2000, and as Washington area director from 1980 to 1992. He is the past president of the Interfaith Conference of Washington and a former commissioner on the District of Columbia Human Rights Commission.

Rabbi Baker received a B.A. from Wesleyan University and a master's degree in rabbinic ordination from Hebrew Union College, Jewish Institute of Religion in New York City.

Next, Ms. Elisa Massimino, did I get that correct? Sorry about butchering your name. She will be our third witness today. She is CEO and executive director of Human Rights First. She is the former director of the organization's Washington Office. She serves as an adjunct professor at Georgetown University Law Center where she teaches human rights advocacy and has taught international human rights law at the University of Virginia and refugee law at George Washington School of Law. She is also a member of the bar of the United States Supreme Court.

She holds a law degree from the University of Michigan, a master of arts in philosophy from Johns Hopkins University.

Last but not least, Rabbi Abraham Cooper. He is the associate dean of Simon Wiesenthal Center. For three decades, Rabbi Cooper has overseen the Wiesenthal Center's international social action agenda ranging from worldwide anti-Semitism and extremist groups, Nazi crimes, to interfaith relations, and the struggle to thwart the anti-Israel divestment campaign, to worldwide promotion of tolerance and education. He is recognized as an authority on issues related to digital hate and the Internet.

Rabbi Cooper has his B.A. and M.S. from Yeshiva University and a Ph.D. from the Jewish University of America.

Officially welcome all of you. We look forward to hearing your testimony, and we will have some questions when we return from these set of votes. Thanks very much. We will be in recess. Assume this will take about a half an hour to 45 minutes.

[Recess.]

Mr. CARNAHAN. I want to reconvene the subcommittee. I appreciate your patience, and we will jump right back into this. We have also been joined by our colleague Ron Klein from the full committee. I want to welcome him, and also I understand Rabbi Cooper has a time issue, and if it is all right with everybody else we are going to ask him to go first. Also, just by the nature of time, we had allotted 5 minutes originally. If you could do it a little shorter, keep it short and crisp, we can get right to questions.

So Rabbi Cooper.

**STATEMENT OF RABBI ABRAHAM COOPER, ASSOCIATE DEAN,
SIMON WIESENTHAL CENTER**

Rabbi COOPER. Since you already have my comments, I will try to cut to the chase, and I will take toward the end of my remarks a few minutes to show you some of the Web sites that you had referred to in your opening remarks, and hopefully we will still be around to have a bigger dialogue on the issue of what to do with the Internet companies, et cetera.

As the chairman and others have pointed out, share this afternoon the shocking statistics of 100 percent rise in violent acts against Jews the world over, and I will not repeat here the horrifying statistics brought down from the Roth Institute's report, but much more than synagogue, schools and cemeteries are under attack. Memory and the very legitimacy of Jewish identity are also under assault.

A French Holocaust survivor, Jewels Isaac, labeled the century's long Christian theological anti-Semitism "the teachings of contempt" which created an environment that helped make the Shoah possible. Thankfully in 2010, the Catholic Church is an ally, not an enemy in the struggle against history's oldest hatred, but a generation after Auschwitz the teachings of contempt are alive and well.

Using statecraft, the Internet, academic freedom, age-old canards have been powerfully repackaged to disrespect our dead, demonize the living, and de-legitimize the Jewish peoples' narratives. Why not desecrate a synagogue in Caracas or hurtle rocks at a Passover Seder at a Rabbi's home in Budapest, attack Jews on the streets of Berlin on a Sabbath morning if you are taught and believe that the Protocols of Zion is a legitimate book about Jews and Judaism and that synagogues are actually the epicenter for Jewish conspiracies to control the world?

What if, as the U.N. Human Rights Council's Web page posts, there really is a plot of the Israeli military to harvest organs of Palestinians, Ukrainians and even Haitians? After all, as has been stated before here, the Government of Sweden in the name of defending freedom refused to condemn a mainstream article headlining such canards.

If Jews lie about a 3,500-year-old relationship with the Holy Land, if Solomon's Temple was never built in Jerusalem as senior Palestinians insist today, if, as a recent article in Kuwait's Al-Tard insists, Adolph Eichmann, the chief organizer of the Holocaust, was actually a friend of the Jews whose "kindness" was repaid by kidnapping and executing him, if there was no Final Solution, as the genocide threatening Ahmadinejad insists, and that the real Nazis are the people of Israel, as too many diplomats, Imam's Ministers,

professors and campus activists chant in unison, or what if, as some leaders in the Baltics say, there is nothing unique about the Nazi Holocaust, that it should be remembered simultaneously with victims of communism, why then in democratic Lithuania why not prosecute former Jewish partisans while refusing to try a single Nazi collaborator?

These trends are now just a few short years ago were marginal rantings are not a permanent feature of the subculture of hate on the Internet. The Internet incubates the big lie conspiracies, repackages the oldest hate, and promotes center stage the denial of the Shoah.

Let me just take a few seconds to show you a few of the visuals from our annual report just released with the help of your colleague, Congresswoman Maloney, a few weeks ago. Our latest report accounts for about 11,500 problematic Web sites, social networking, blogs, et cetera, on the day of the Oklahoma City bombing 15 years ago there was exactly one hate Web site on the Internet, and I have just for the purposes of this meeting pulled only a few of the hundreds of postings.

This one from Russia, this one from the Palestine Information Center, this says, "Enough, exterminate the rats." If you look up at the screens, you can follow it. Here you have what looks like an online version of the New York Times or the Washington Post, and said it is called "Filthy Jewish terrorists" and if you look carefully at the headlines actually in the lower right-hand corner there is a signature picture of the Oberai Hotel in Mumbai ablazed last year which, of course, was attacked by Islamist terrorists from Pakistan, and all of the ills of the world, and all of the breaking news is simply repackaged to reflect it being done by Jews.

David Duke, this is a Facebook page called "Zionist Terminator" that has some 2,400 fans. A few blocks from here last year you had James Von Brunn, an 89-year-old racist come shooting into the United States Holocaust Memorial Museum. Now this is a man who was a bigot a long time before the Internet came along, but he kept his hatred alive and it was validated and promoted because he continued to be active on the Internet, and other racists who survive him continue to hold this up as a great example. And even when someone, in the case of the shooter at the Pentagon, who had no known connection to the hatred of Jews or White Supremacy, immediately after his attack, that act was then cut and pasted by the extremists online to make it appear as if he in fact was an anti-semitic or was motivated by the hatred of minorities.

These are now various Web sites around the world that mock or deny the Shoah. This is a Facebook page called "Six Million for the Truth about the Holocaust."

For the record, Simon Wiesenthal Center has a very good working relationship with Facebook, especially in the area of interdicting terrorist, pro-terrorist sites, but as we see there are when we come to issues involving denial of the Holocaust and demonization of all religions, we think that they come down, if you will, too hard on the side of freedom of expression and not enough on the side of community standards.

What I am going through right now without stopping is just to give you some of the examples of Holocaust denial. The book called

“The War for Genocide: The Protocols of Zion,” all over the Internet. Here you have it in Egypt.

YouTube, as a social networking site, being promoted. This is a Nazi game which I won't bore you with the horrible details but basically to win the game you shoot down mocked Jews who are en route to the gas chambers. But on the Internet today you also have hate games of bombing the survivors of the Haitian earthquake. You have a suicide bomber game where you win if you collect the body parts. This too is all part of the Internet.

Here you have the conspiracy mindset of Plan Andinia of Chile and Argentina saying of an alleged plot for Israel to take over that part of the world, and this is the updated version, of course, of the blood libel, the harvesting of organs, all over the world with a big boost not only for the Government of Sweden, but especially, of course, the Iranians, and the recent elections in Hungary which gave the extremists party, an anti-Semitism party close to 17 percent, now the third largest party in the country, and here you have the validation of murdering Israeli civilians by prominent Imam.

And I will just close here with—I won't repeat what it says at the top, but these are sites that are currently up and running on Facebook. If you look, the first one is an attack on Judaism, Christianity, Islam, Judaism, Hinduism. So for all of the important statements that were made before that we are here first and foremost to talk about anti-Semitism and also connecting anti-Semitism to the world view of those who support terrorism, that is all reflect in the reality on the Internet today.

Thank you, Mr. Chairman.

[The prepared statement of Rabbi Cooper follows:]

April 14, 2010

**U.S. HOUSE COMMITTEE ON FOREIGN AFFAIRS
International Organizations, Human Rights and Oversight**

**Testimony
Rabbi Abraham Cooper
Associate Dean
Simon Wiesenthal Center**

All of the distinguished presenters this afternoon have shared the shocking statistics—with 100% rise in violent acts against Jews the world over. The Roth Institutes provides the overview:

“...[The 1,129] violent incidents recorded by the Institute in 2009, represented an increase of more than 100 percent over the 2008 figure of 559. In addition, many more hundreds of threats, insults, graffiti signs and slogans and demonstrations featuring virulently anti-Semitic content were registered, sometimes resulting in violence...

According to our criteria and data, the highest rise in numbers of violent incidents was registered in 2009 in the UK – 374 compared to 112 in 2008; France recorded 195 violent events compared to 50 in 2008; Canada – 138 compared to 13, and the US – 116 compared to 98. In Germany, the final reports for 2009 may show a slight increase in the overall number of anti-Semitic manifestations, but the community feels threatened – a major incident has greater impact than several minor ones. The figures for Russia and Ukraine declined, from 40 and 38 to 28 and 20, respectively. In most other countries, numbers ranged from 1 to 30, but even low numbers when doubled or tripled compared to previous years might indicate the beginning of a tendency: for instance, from 1 to 6 violent cases in Norway, from 0 to 15 in Brazil, and from 0 to 22 in Austria, where the extreme right scored impressive electoral gains. In the UK, the Jewish community's long-established monitoring system logged over a three-fold increase in anti-Semitic manifestations of all kinds since 1999, and Canada recorded a five-fold rise since the beginning of the decade. With Jewish synagogues, schools and community centers receiving better protection, close to half of violent cases were perpetrated, sporadically and spontaneously, against persons, and about a sixth against private property, far from Jewish institutions.”

But much more than Synagogues, schools, and cemeteries are under attack. Memory and the very legitimacy of Jewish identity are under assault.

French Holocaust survivor Jules Isaac, labeled the centuries-long, Christian theological anti-Semitism, “the teachings of contempt”, which created an environment that made the Shoah possible.

In 2010, The Catholic Church is an ally, not an enemy in the struggle against history’s oldest hatred.

But a generation after Auschwitz, the “teachings of contempt” are alive and well.

Using statecraft, the Internet, academic freedom, age-old canards have been powerfully repackaged to disrespect our dead, demonize the living and de-legitimize the Jewish people’s narrative.

Why not desecrate a synagogue in Caracas, hurl rocks at a Passover Seder at a Rabbi’s home in Budapest, attack Jews on the streets of Berlin on a Sabbath morning--- if you are taught that *The Protocols of Zion* is a legitimate book about Jews and Judaism and that synagogues are the epicenter for Jewish conspiracies to control the world?

What if, as the United Nations Human Rights Council's webpage posts, there really is a plot by the Israeli military to harvest organs of Palestinians, Ukrainians, even Haitians? After all, the government of Sweden in the name of defending freedom refused to condemn a mainstream article headlining such canards?

If Jews lie about a 3,500 year old relationship with the Holy Land; if Solomon's Temple was never built in Jerusalem, as senior Palestinian leaders insist; if, as a recent article in Kuwait's *al-Watan* insists, Adolf Eichmann, the chief organizer was actually a friend of the Jews, whose kindness was repaid by perfidious Jews by kidnapping and executing him;

If there was no Final Solution, as the genocide-threatening Ahmadinejad insists and that the real Nazis are the people of Israel, as too diplomats, Imams and ministers, professors and campus activists chant in unison...

Or what if, as some leaders in the Baltics say, there is nothing unique about the Nazi Holocaust, that it should be remembered simultaneously with victims of Communism. Why not then in democratic Lithuania prosecute former Jewish partisans while refusing to try a single Nazi collaborator?

Mr. Chairman, what we need to stop the Jew-hatred aren't more charts and annual lists, but political and moral leadership prepared to make the anti-Semites and bigots pay a price.

Nothing will change so long as Ahmadinejad is welcomed to keynote at the United Nations. Nothing will change so long as spiritual leaders of the religion of peace validate suicide terror against the grandchildren of Holocaust survivors.

Nothing will change unless European nations begin to pay more attention to the safety of living European Jews than attending ceremonies for dead ones.

Nothing will change unless the Palestinians are held accountable to teach their children the truth: That the Jewish people have its inalienable rights in the Holy Land

Nothing will change unless American universities take action against all those who seek to intimidate Jews on campus into silently acquiescing to a campaign of vilification against Israel's rights to stand equal among the nations.

The Simon Wiesenthal Center wishes to thank this committee for its concern on this issue and to recognize OSCE/ODIHR for their work, the CSCE and its chairmen, Senator Cardin and Congressman Hastings, the International Taskforce on the Holocaust, as well as Ambassador Christian Kennedy who is retiring as Special Envoy for Holocaust issues and of course, Hannah Rosenthal who is spearheading the State Department's monitoring of this critical issue.

In closing let me quote the namesake of our institution, the late Simon Wiesenthal who once said: "I was not surprised by how many Nazis there were but by how few anti-Nazis there are", adding "Freedom is not a gift from heaven; it must be earned every day".

For the sake of our children—let us be equal to that task.

Mr. CARNAHAN. Rabbi, thank you for that really graphic and broad overview of some of the things that are out there.

Next I want to go to Mr. Jacobson.

STATEMENT OF MR. KENNETH JACOBSON, DEPUTY NATIONAL DIRECTOR, ANTI-DEFAMATION LEAGUE

Mr. JACOBSON. Thank you for holding this hearing. I think it is very important that you are doing so. We have already submitted a lengthy document for your reading. I was going to make some extended remarks but because of time I think I will just limit myself to a few comments.

Let me first say that people ask us at the ADL, is it happening all over again? We get that basic question, and our answer is no. Let us understand what the Holocaust was, a unique situation. But having said that I think what most disturbs us is the peeling away step by step of all the constraints against anti-Semitism that grew out of Auschwitz. In other words, when the world saw Auschwitz they didn't suddenly not become anti-Semitic, but they became embarrassed, ashamed about manifesting anti-Semitism, and while that is not everything that we want, we surely want peoples' attitudes to change, that had a tremendous impact for decades, limiting the manifestations of anti-Semitism.

And I would say today because of a combination of factors—time passing, witnesses dying away, and the fact of this constant barrage against the State of Israel has opened up a legitimization of anti-Semitism, and a peeling away of those constraints that allowed us to live in a world where for 50 years or so anti-Semitism existed, but it existed in certain limited fashion which now I think are being peeled away, and that is what keeps me up at night, which is the idea as we move along if we continue to allow these constraints to be removed we may see a much more explosive period of anti-Semitism in the future.

Secondly, there are two ironic and depressing manifestations of hatred toward Jews which have reemerged which we have to deal with. One is the great irony, this is the Human Rights Committee, is that a lot of human rights law came out of the terrible experience of the Holocaust: Universal Declaration of Human Rights of the U.N., the Nurenberg laws were manifestations of the world waking up to what happened at Auschwitz. We have the situation today, particularly at the Geneva Human Rights Council, but in other ways, where human rights laws are now being turned against the Jewish people through the State of Israel, and it is something that we should be outraged about, and we should call attention to, and make it clear that it is the Jewish people who not only suffered the greatest degradation of human rights, but that indeed so many Jews and Jewish organizations as represented here have been in the forefront fighting for human rights around the world, and this degradation of this principle is one that is not only dangerous to the Jewish people but dangerous to the world at large.

And connected to that is the ironic and very depressing element of how the Holocaust itself is being turned against the Jewish people. The great tragedy of the Jewish people is now being used in so many instances against Jews. During the war in Gaza so many

of the protestors against Israel and against Jews had signs accusing Israel and the Jewish people of being the Nazis of today.

Whatever your views are of Israeli policy, the notion of comparing Israel today to what happened to the Jewish people 65 years ago is outrageous and really is important to counter and to make clear what all this is about, and these are things that we have to see.

Now, people ask us very often what is the difference with all these problems, the Ahmadinejad problem, the nuclear issue, the global anti-Semitism, what is different today? And I think what is really truly has been different in so many ways in terms of the Jewish condition has been our great country.

If we remember in the 1930s America, when Woodrow Wilson went to Paris after World War I and came up with the concept of the League of Nations, and came back and the U.S. Senate rejected American participation, we retreated into isolationism, what turned out to be a disastrous development for the world at large and for the Jewish people.

The United States, thank God, entered World War II soon enough to save the world from Hitler. We did not enter the war soon enough, for a whole variety of reasons to save the Jewish people, and we know about that, and so much of what we have done and what our own Government and people have done over the years is to say "never again" and to use the leadership of the United States to ensure it. And I think that continues to be the message. The work that we did with the OSCE, all these committee hearings, the legislation, all the public statements over the years, the work with Soviet Jewry, and Ethiopian Jewry, and all of these issues were because of the tremendous leadership of the United States of America.

And so you are holding this hearing today, in my view, as part of that historical process and the most I think we can say is we need to encourage to move it forward in a very, very positive direction. That means in terms of bilateral relations with every country this must be a priority. That means in terms of enforcing legislation and building up Special Envoy Hannah Rosenthal's work and the work that we do, all of that is terribly important.

My basic message is that the problems are becoming more severe, and the role that all of us play in the months and years ahead will become even more important. Thank you very much.

[The prepared statement of Mr. Jacobson follows:]



**Testimony of Kenneth Jacobson
Deputy National Director
Anti-Defamation League**

**Before the
Committee on Foreign Affairs
Subcommittee on International Organizations, Human Rights and Oversight**

***Combating Anti-Semitism: Protecting Human Rights*
April 14, 2010
Washington, DC**

The history of the Jewish people is fraught with examples of the worst violations of human rights - forced conversions, expulsions, inquisitions, pogroms, and genocide. We have experienced and understood that violations of human rights and freedoms are indeed the early warning signs of war and conflict. We were the victims of possibly the worst example of how the progressive erosion of Jewish rights broke apart the very fabric of European society and led it down a slippery slope toward unspeakable atrocities.

Anti-Semitism and the persecution of Jews was the touchstone for the creation of some of the foundational human rights instruments in the aftermath of the Holocaust. The Jewish community was and has remained deeply engaged in maintaining robust international human rights standards and institutions. When rights are being violated for anyone anywhere, we are committed to interrupt the progression that we witnessed and, sadly, experienced 65 years ago.

Even before the Holocaust stirred the conscience of the world, Jews were involved in the development of key human rights principles like the principle of accountability for Crimes Against Humanity, which became the cornerstone of the Nuremberg Principles after WWII. We were there at the creation of these institutions, from the body of legal treaties and documents, the drive to create offices like the UN High Commissioner on Human Rights or the State Department Office of International Religious Freedom or Violence Against Women programs. Thus, the Jewish people are inextricably linked to and invested in the elevation of human rights into the mainstream of international diplomacy and world affairs. We want international institutions that truly hold perpetrators accountable for their inhumanity.

Fighting Anti-Semitism, Advancing the Struggle for Human Rights for All

We view the fight against anti-Semitism today as enhancing and strengthening the fight against all forms of hatred and hate crime. Anti-Semitism is a major concern for the Anti-Defamation League - not just because we are a Jewish community organization, but because anti-Semitism, the longest and most persistent form of prejudice, threatens security and democracy, and poisons the health of a society as a whole. The Anti-Defamation League was established in 1913 with its core mission to combat the then horrific discrimination against Jews in all facets of American life and the growth of anti-Jewish movements and organizations peddling their hate around the world. Over nearly a century, as part of the fight against anti-Semitism and all forms of bigotry, we have been at the forefront of the campaign to secure historic civil rights achievements,

pioneered the development of model hate crime laws and developed anti-prejudice education models to address all forms of prejudice and to prepare the next generation to live in our increasingly diverse society. And we have seen that, where anti-Semitism flourishes, no minority group is safe.

We work in a rights-based framework here in our communities and around the world. Human rights are universal, and our community has experienced the truism that, by safeguarding Jewish rights, we advance the cause of rights for everyone. The Jewish community worked with this Committee and many dedicated Members of Congress to put the issue of the denial of the right of Jews to emigrate from the USSR onto the US policy agenda and ultimately onto the world stage. This was the basis for the Jackson Vanik Amendment that tied Most Favored Nation trade status to free emigration and that initiative was one of this country's most important and successful human rights initiatives. Indeed this advocacy movement served as an inspiring model for the campaign to pass the International Religious Freedom Act of 1998.

In our own nation's past, our campaign to address anti-Semitic hate violence as a civil rights issue and in the context of opposing hate violence against all groups blazed a trail for the creation of a model hate crime monitoring and response policy here in the US and we are replicating these efforts in Europe and the FSU.

What is Anti-Semitism?

Anti-Semitism is a form of hatred, mistrust, and contempt for Jews based on a variety of stereotypes and myths, and often invokes the belief that Jews have extraordinary influence with which they conspire to harm or control society. It can target Jews as individuals, as a group or a people, or it can target Israel as a Jewish entity. Criticism of Israel or Zionism is anti-Semitic when it uses anti-Jewish stereotypes or invokes anti-Semitic symbols and images, or holds Jews collectively responsible for actions of the State of Israel. I have appended to my statement a brief description of anti-Semitism and the manifestations we are seeing today.

What is the Nature and Magnitude of the Problem?

In appendix I, I note the key themes of contemporary anti-Semitism, Appendix II outlines select incidents grouped by country that exemplify some of the trends discussed below. As a practical matter, anti-Semitism manifests in two primary areas, anti-Semitism promoted as an increasingly acceptable part of the public discourse and harassment, vandalism and hate violence. As such, while anti-Semitism can require distinct responses, a number of the recommendations we have to fight anti-Semitism are also components of a comprehensive hate crime response strategy.

The Data Deficit

The first question you should have is: what is the scope and magnitude of anti-Semitism today? The answer to that question points to the first challenge we face in fighting the problem. There is a massive data deficit across dozens of countries who do not monitor and document anti-Semitic incidents. Even in the Organization for Security and Cooperation in Europe (OSCE), whose Participating States have committed to gather data on anti-Semitism and hate crime, only 8 of 56 OSCE Participating States submitted information to ODIHR on anti-Semitic incidents. Even where there is some kind of data collected, the data are rarely comparable, which makes region wide trend analysis very challenging. I have appended to my statement a report prepared jointly by the Anti-Defamation League and our colleagues at Human Rights First that scores the performance of OSCE Participating States in specific areas of performance in monitoring and countering hate crime. This assessment aimed to measure the performance of governments not by where incidents are happening most, but where the governments have instituted policies and procedures to quantify and address them.

The obstacles to comprehensive data collection by police – and the disincentives for reporting for victims of these crimes – are significant. Studies have revealed that some of the most likely targets of hate violence are the least likely to report these crimes to the police, but data collection is an essential jumping off point for

prevention and response. In order to count these crimes, you must define, recognize, and train police to understand their meaning. Where there is data, there is awareness, where there is awareness, there is action.

What follows is an overview of the trends based on the known information.

Overview and Trends

A rise in anti-Semitic violence has been documented worldwide, by governmental agencies, NGOs and institutions like the Tel Aviv University's Stephen Roth Institute. Of course a growth in numbers may also reflect better monitoring by Jewish communities or governments and greater cooperation between them. Violence against Jews and Jewish institutions has occurred mostly in Western Europe. The largest concentration of incidents reported is in the UK and France, which have large Jewish communities in addition to governmental and NGO monitoring. There are other factors in play which I will discuss below.

Everyday Insecurity, Harassment, Vulnerability

The Anti-Defamation League is deeply involved in fighting discrimination today and, during our century of work, discrimination had been a major barrier for Jewish participation in the life of the countries in which they live, including the US.

Today, overt discrimination is not the chief barrier to the full realization of the rights of Jews to live in security with dignity and freedom to express their identity. It is an extreme form of discrimination, of the ugly acting out of hatred, violent hate crime, which targets Jews and visible Jewish sites such as schools, synagogues and cemeteries. It is not a law of the land that prevents Jews in so many places from being able to express who they are, to freely wear yarmulkes, Stars of David, or even T-shirts bearing Hebrew lettering or slogans. Rabbis, parents, students live with the knowledge that walking the streets bearing an identifiable Jewish symbol puts you at risk of violence, intimidation and harassment. This is the unwritten rule many Jews are forced to live by.

Stroll through some Jewish neighborhoods around Paris and you will find bearded Jewish men wearing baseball caps instead of yarmulkes. Ask yourself what it would mean if in St. Louis or Minneapolis or Huntington Beach, your Orthodox Jewish constituents were forced to abandon or hide their traditional dress and symbols and to disguise their identity just to avoid the kind of harassment that has become commonplace.

In so many communities, when we ask Jewish leaders about the nature and levels of threats, they discount stunning incidents of harassment as simply the discomfort that is a fixture of the landscape in their society. They don't always even gather information or acknowledge incidents and situations that in any of our own cities would be scandalous and cause for national attention. This is part of the routine trepidation and caution that Jews navigate. This is impossible to measure, but it is possible, indeed vital, to address. Governments must meet their international legal obligations to keep Jews and all their inhabitants safe from discrimination and hate violence.

Anti-Semitic attacks, Linked to Incidents in Israel

Successive reports by both Inter-Governmental and Non-Governmental Organizations note a direct link between flares of Israeli-Palestinian tensions and a spike in anti-Semitic hate violence. This was most pronounced in Western Europe. The European Union's Fundamental Rights Agency notes that: "Anti-Semitic activity since 2000, is increasingly attributed to a 'new antisemitism' characterized primarily by the

vilification of Israel as the Jewish collective, and perpetrated primarily by members of Europe's Muslim population."¹

Expressing disagreement with Israeli action through violence against one's Jewish neighbor or the Jewish community is untenable and a violation of rights. Yet, as Israel defended her citizens from Hamas' missiles, Jews around the world also came under attack. Anti-Israel rallies and demonstrations were the scene of anti-Semitic rhetoric and imagery. Jews were beaten on the street. Synagogues were fire-bombed. One newspaper in Qatar ran an article noting plainly that all Jews bear responsibility for what is happening in Gaza.

Two other examples:

- Last January, in Sweden, the mayor of Malmö, Ilmar Reepalu, said that neither Zionism nor antisemitism was acceptable in Malmö and that the Jewish community could help reduce tensions in the city by condemning Israeli actions. He then criticized the Jewish community for organizing a pro-Israel demonstration, since that "could send out the wrong signals."²
- Venezuela's President Chavez called on the Venezuelan Jewish community to speak out against the actions of Israel. "I hope that the Jewish community in Venezuela pronounces itself against these barbaric acts. Do it! Don't you reject forcefully any act of persecution? Don't the Jews reject the Holocaust? And what are we living now? Do it! Put your hands in your heart. Be fair. We should all be fair!"³

In two countries with sound statistics on anti-Semitic acts, France and the UK, we see clear evidence of a spike following Operation Cast Lead. According to France's Jewish security organization, the SPCJ, there were 354 incidents in January 2009. Every other month in 2008 and 2009 showed totals ranging from 23 to 62 incidents. In the UK, the Community Security Trust reported 288 anti-Semitic incidents in January 2009, the highest monthly total they have ever recorded since beginning to keep count 1984, compared to 44 in January 2008. By April 2009, the number of incidents returned to pre-war levels. A similar spike in incidents was documented during Israel's conflict with Hezbollah in 2006 and Israeli Palestinian tensions in 2002.⁴

Rabbi Menno ten Brink an Amsterdam-based Rabbi summed up this sentiment in an interview in January: "Their reasoning goes something like this: Israelis are Jews, Palestinians are Arabs, so we Moroccan 'Arabs' in the Netherlands are going to take on Dutch Jews."⁵

Anti-Semitic Hate Speech: Demonization of Israel

Among the most prevalent expressions of anti-Semitic hate speech relating to the debate around Israel is the equating of Israel with the Nazi regime. Caricatures that depict Israelis as Nazis appeared with alarming frequency in the Arab press, in Latin America, and even in some mainstream European newspapers.

This widespread use of Holocaust and Nazi analogies go well beyond legitimate criticism of Israel. Particularly dangerous and disturbing is the use of Nazi imagery to depict Israelis and comparisons of Israel's actions to the absolute evil perpetrated by the Nazis in the Holocaust. These comparisons and

¹ European Union Agency for Fundamental Rights, *Antisemitism, Summary Overview of the situation in the European Union from 2001-2007*, Jan. 2008, page 19.

² Cnaan Lipshiz, *Swedish mayor calls both Anti-Semitism and Zionism forms of 'unacceptable extremism'*, Ha'aretz, Jan. 29, 2010, <http://www.haaretz.com/hasen/spages/1146123.html>.

³ Hugo Chavez, Remarks at the Teresa Carreño Theater in Caracas, Jan. 5, 2009, <http://www.noticias24.com>.

⁴ See generally *Anti-Semitic Incidents Report 2009*, Community Security Trust, 2010,

<http://www.thecst.org.uk/docs/CST-incidents-report-09-for-web.pdf>.

⁵ Karel Berkhout, *Anti-Semitism on the rise in Amsterdam*, NRC Handelsblad (Netherlands), Jan. 26, 2010, http://www.nrc.nl/international/article2468489.ece/Anti-Semitism_on_the_rise_in_Amsterdam.

imagery feed the age-old myths of Jews as a satanic and conniving force which endeavors to take over the world.

The OSCE's Office for Democratic Institutions and Human Rights documented an analogous phenomenon during the 2006 conflict between Israel and Hezbollah: "Analyses and investigations of these incidents show that the projection of anti-Israel sentiment onto Jewish communities throughout Europe was a widespread pattern in 2006, with the conflict between Israel and Hezbollah frequently being used as a justification for anti-Semitism. This found its expression in both organized and spontaneous violence. In this context, direct reference to the Third Reich was often made, with Holocaust imagery being used as a rhetorical device to threaten Jews or to equate them with the perpetrators of the Holocaust."⁶

The Anti-Defamation League has followed how political cartoons have promoted anti-Semitic imagery in commenting on everything from the publication of the UN's Goldstone Report, to the American presidential elections. Anti-Semitic incitement was horrific during Operation Cast Lead, and conflated Israelis with Jews. Newspapers across the Arab and Muslim world published editorial cartoons, articles and opinion pieces laced with age-old anti-Semitic themes, including blood-libel accusations and demonic large-nosed, bearded Jews plotting to rule the world. The articles and editorial cartoons appeared in mainstream newspapers from Egypt and Jordan, to Syria, Saudi Arabia, and the United Arab Emirates.

European and Latin American media have also included clearly anti-Semitic articles and caricatures.

In Greece, the leader of a far-right party published an editorial that accused Israel of acting in Gaza like the Nazis, claiming that such could be expected of Jews because they are "Christ-killers." The editorial also included the phrase, "it is known all over the world that a Jew smells of blood."



Spain's *El Mundo*, January 8, 2009

Venezuela's *Diario Vea* published on January 9, 2009 a drawing of Hitler with the caption, "Those Zionists are really out-doing me!"

⁶ OSCE Office for Democratic Institutions and Human Rights, *Hate Crimes in the OSCE Region: Incidents and Responses*, Sept. 18, 2007, http://www.osce.org/publications/odihr/2007/09/26296_931_en.pdf.



On January 12, 2009, Bolivia's *La Prensa* ran an op-ed in the form of a fictional letter to Eva Terezin, a 9 year old girl who was murdered in Auschwitz. The author compares Israeli soldiers to Nazis and lists names of Jewish children who "unlike her, survived the holocaust and became the trunk of families of merciless soldiers like those that terrorized you in your dreams." The article ends with the sentence: "Death, beautiful Eva, saved you from giving birth to the new Nazis."

Anti-Semitic hate speech was also noted at anti-Israel demonstrations around the world, including in the United States. In the United Kingdom, the Community Security Trust reported shouts of "Kill the Jews," "Heil Hitler," "Dirty Jews go to Hell," and "O Jews of Khaybar, the army of Mohammed is returning."

Conspiracy Theories Gaining Acceptability in Public Discourse

One of the constants of anti-Semitism is that, in every generation, it traffics in conspiracy theories that appeal to people from the fringes of society into parts of the mainstream. In Sweden, last fall, a false and malicious report in a Swedish newspaper that Israeli soldiers abducted and killed Palestinians, including children, to harvest their organs mushroomed into a global conspiracy theory. Within months, the story generated several conspiracy theories about Jewish plots to harvest organs from victims around the globe, including from kidnapped Algerian and Ukrainian children and from Haitians pulled from the rubble of the earthquake that devastated their nation.

The conspiracy theory related to the Israeli rescue teams in Haiti reached all the way to the British House of Lords, where Baroness Jenny Tonge called on Israel to launch an investigation into the conduct of its military in Haiti. Tonge made the comment after an English-language Palestinian newspaper, *The Palestine*

Telegraph, published an article that cited a report by Hezbollah's Al-Manar TV regarding the organ trafficking allegations. The Palestinian paper lists Tonge as one of two members of a "board of patrons." Following the story, Tonge apologized. However, Nick Clegg, the leader of the Liberal Democrat party, called Tonge's comment "unacceptable" and he subsequently removed her from her position as party spokeswoman on health issues.

The conspiracy theories have been reported as fact by Iranian and Arab media, including Syrian TV, Press TV, a state-funded Iranian TV news channel, and leading pan-Arab satellite news networks Al Jazeera and Al-Arabiya. In addition, newspapers in Jordan, Oman, Qatar and other Arab countries published series of editorial cartoons that depicted Israelis as vicious butchers who were gleefully cutting off the body parts of Arabs and trading in Palestinian organs.

The Economic Crisis – A Touchstone for Scapegoating

Despite the growth of the European Union and the acceptance by new countries of the frameworks for integration and non-discrimination, the economic crisis, social problems and the growing diversity taking hold across European society gave fodder to extremist groups and some right wing populist political parties which play on populist anti-Roma, anti-foreigner and, in some cases, anti-Semitic sentiment.

At the outset of the world financial crisis, ADL found that anti-Semites across the ideological spectrum increased their propagandizing on the classic theme of Jewish control of banks and governments and alleged that Jews and Zionists were responsible for the U.S. economic recession. In a survey conducted last year, as the economies around the world were faltering, 31% of the respondents in seven countries in Europe blamed Jews in the financial industry for the current global economic crisis. Overall, 40% of Europeans in the countries polled believe that Jews have too much power in the business world.

Holocaust Remembrance and the Perversion of Memory

Holocaust education and remembrance must not only tell the story of the past, but institutionalize its lessons for the future. As President Obama stated on Holocaust Remembrance Day: "The memories of the victims serve as a constant reminder to honor their legacy by renewing our commitment to prevent genocide, and to confront anti-Semitism and prejudice in all of its forms. We must never tolerate the hateful stereotypes and prejudice against the Jewish people that tragically continues to this day."

I previously discussed how the use of Nazi imagery to portray the Jewish state perpetuates the myths which have plagued the Jewish people for centuries. Beyond that, the images of Jews as Nazis committing genocide is a perversion of memory, an insult to those who perished in the Holocaust, an affront to those who survived the horrors of Nazi Germany and to those who fought to defeat the Nazis.

Teaching about the Holocaust is moving into a new and more positive phase in many respects. Yet overcoming historical distance from the events by exposing students to eyewitnesses is becoming difficult as the survivor population dwindles. Teachers and communities face resistance or even hostility to teaching the subject or to public remembrance activity.

Political anti-Semitism - Case in Point: Hungary

We are deeply disturbed by the return of political anti-Semitism in Hungary, home to Central Europe's largest Jewish community. The openly anti-Semitic and anti-Roma Jobbik took more than 15 percent of the vote in this past Sunday's election. They took third place behind Hungary's center-right party Fidesz which won by a landslide and were just two points behind the Socialists who had previously been the governing party. This marks a sea change in Hungary's post-communist political landscape.

There are a few things you ought to know about this party:

- Their presidential candidate, Krisztina Morvai, has publicly insulted Hungarian Jews, declared “your kind’s time is over,” and suggested that Jobbik will treat Jews just as Hamas does.
- During a TV interview, Jobbik’s prime ministerial candidate and party leader, Gabor Vona, was asked whether his party supported an upcoming major neo-Nazi rally in Budapest. He answered: “if you are so interested in Jewish issues I suggest you move to Israel.”
- One of Jobbik’s election posters shows Israeli president Shimon Peres with the Star of David and promises that under Jobbik’s leadership Israel will not occupy Hungary.
- Last summer Jobbik entered into a cooperation agreement with a Hungarian police trade union that advocated anti-Semitism as “the duty of every Hungarian patriot” and called on its 5,000 members to “prepare for armed battle against the Jews” in its newsletter.
- Jobbik has a paramilitary arm, the Hungarian Guard, which was declared illegal, yet continues to manifest itself.

Trends Echoed in Latin America

When we talk about anti-Semitism in Latin America, for many of us, the first thing that comes to our minds is the devastating terror attack on the AMIA/DAIA, the headquarters of the Argentine Jewish community, which killed 85 people and also wounded hundreds in 1994. This made it especially disconcerting when we saw the vicious reaction to Israel’s operation in Gaza including graffiti near the AMIA/DAIA building which read, “the third bomb is coming.”

Anti-Israel rallies were the scene of anti-Jewish rhetoric and images and numerous incidents of violence against Jews and Jewish institutions were reported in the past year. In Argentina, rallies proclaiming “Judios asesinos” (Jews assassins) erupted in front of the Israeli embassy in Buenos Aires, in parks, on the streets, and in front of Jewish businesses. Jewish businesses and products were boycotted. Flags and insignia of the Lebanese terrorist group Hezbollah, responsible for two terrorist attacks in Argentina, were openly displayed. Jews celebrating Israel’s 61st anniversary were violently attacked by a gang armed with clubs and other weapons, and Jewish cemeteries around the country — even the tombs of children — were desecrated and destroyed.

Separate and apart from events in the Middle East, Latin America has also been a place where Jews have figured as the scapegoat during times of political and economic crisis and upheaval. In October 2009, during the political stalemate in Honduras, conspiracy theories and anti-Semitic statements emerged. False allegations spewed by President Zelaya that Israeli mercenaries were trying to assassinate him, and remarks by the director of a radio station saying that Hitler should have “finished his job” with the Jews made the headlines of mainstream newspapers.

For the past several years, we have been deeply concerned about Venezuela because of the atmosphere of anti-Jewish intimidation promoted by President Chavez and his government apparatus. The intimidation reads like a dictionary example of behavior that violates the European Union FRA Working Definition of Anti-Semitism.

In Venezuela, anti-Semitism has been used as a political tool, fostered by those at the highest levels in government. Chavez and other government leaders have issued a series of inflammatory statements and have taken actions, including ending diplomatic relations with Israel and expelling the Israeli ambassador and other diplomatic staff from Venezuela.

His statements have fostered an atmosphere of intimidation and fear for the Jewish community, as Chavez has held the community accountable for events completely outside of their control. One of the latest anti-Semitic attacks occurred on January 31, 2009, during the Jewish Sabbath, when a synagogue in Caracas was violently profaned and vandalized leaving behind graffiti that said "Fucra / Get out," "Muerte a Todos / Death to All," and "Maldito Israel, Muerte / Damn Israel, Death."

Incubator, Broadcaster: The Arab and Muslim World

For decades, the Anti-Defamation League has focused on monitoring and exposing the anti-Semitism that has pervaded the Arab and Muslim print media. Our particular monitoring focus has been editorial cartoons, where we have found that the exaggerations intrinsic to these caricatures all too often propagate age-old anti-Jewish stereotypes and myths.

In Arabic newspapers across the Middle East one can find a steady stream of images depicting Jews and Israelis drawing on a series of incendiary themes:

- Jews and Israelis as stooped, hook-nosed and money-hungry, as snakes (a particularly nefarious figure in the Arab world) bent on world domination.
- Israeli leaders are regularly depicted as Nazis, at the same time that other articles deny or diminish the Holocaust.
- Jewish caricatures shown as manipulating the United States government, as the puppeteers behind the President, the Secretary of State and Congress.
- Other caricatures show the US and Israel as partners plotting to dominate the world, the United Nations, the Arabs, the Palestinians.
- Anti-Jewish conspiracy blaming Jews and Israel for things like the H1N1 outbreak, criminal organ harvesting from Palestinians, Algerians and Haitians (depending on the conspiracy theory).
- Jews are subtly scapegoated, depicted as fomenting and benefiting from internal conflict in the Arab world.

ADL has called on Arab leaders to denounce the anti-Jewish manifestations featured in their newspapers and they universally respond with excuses, equivocations and downright denial of the problem. Instead of responding with disgust and condemnation, they rigorously defend these ugly pictures as legitimate manifestations of political commentary. Some government leaders, such as Egyptian Prime Minister Hosni Mubarak, have cited freedom of the press as the reason they cannot control anti-Semitic manifestations in their state media. This argument rings hollow given the reality that in Egypt, as in most of the countries where these images proliferate, the only real freedom the media appears to enjoy is the freedom to scapegoat Jews and Israel. Moreover, the respect for press freedom, which we certainly champion, does not absolve political leaders of the responsibility to exercise moral leadership and to publicly denounce these expressions of gutter-level anti-Jewish hatred.

We have also heard from Arab leaders that these caricatures are not anti-Semitic, but are legitimate expressions of criticism of Israel and Israeli policy. This is clearly not the case. In no way should images such as a contorted, stereo-typical Jewish figure, straight out of *Der Stürmer* crushing the Arab world, or of Israel as a snake strangling Uncle Sam (images which harkens back to age-old canards of Jewish power) be construed as fair criticism of Israeli policy.

On occasion, we have heard some Arab leaders say that the Israeli media is guilty of demonizing Arabs, implying that this somehow balances out the scales. We respectfully reject such equations. When, on occasion, there is a case of an insensitive or even demonizing depiction of Arabs or Muslims in the Israeli media, government leaders, non-governmental organizations and community leaders are quick to condemn it. This is the case outside of Israel as well. In the infamous controversy over the Danish cartoons in 2006, Jewish organizations, including ADL, called on the media to take into account the sensitivities of racial, ethnic and religious groups, while defending the right of newspapers to be free to publish controversial content without fear of censorship or intimidation of their writers and editors. This has also been the case in

the United States, when on numerous occasions American Jewish organizations have supported American Muslim complaints about insensitive depictions of Arabs or Muslims in film, television programs and in editorial cartoons.

While there have been notable op-eds and articles by Arab personalities condemning Arab anti-Semitism and Holocaust denial, they have been few and far between compared to the unrelenting stream of anti-Semitism.

Anti-Semitism is also broadcast on television across the Arab and Muslim world. Among the most infamous examples are two dramatic, multi-part, mini-series which were broadcast during the Muslim holy month of Ramadan – the major "sweeps" period for Arab television. The Egyptian-produced *Horseman Without a Horse* – aired on Egyptian state television in 2002, and the Syrian-produced *Ash-Shatat* – aired in 2003 on the Hezbollah owned Al-Manar satellite network.⁷

Horseman featured base stereotypical depictions of Jews living in nineteenth century Egypt plotting to take over Palestine, the Middle East, and the entire world, guided by the infamous anti-Semitic forgery, *The Protocols of the Elders of Zion*. *Ash Shatat* was saturated with horrifying stereotypes of Jews, references to the *Protocols*, and included a shocking dramatization of the slitting of the throat of a Christian child by a rabbi draining his blood to make matzah. In both dramas, Jews were presented as conspiring, violent, evil, and manipulative, characters who would quickly betray their native country and even their community for their own interest.

In more recent years, Arab dramas produced for Ramadan have focused more on drama and romance, and less on Jews. However, organizations monitoring major Arab satellite and state-run television networks, as well as television stations affiliated with the Palestinian Authority and Hamas, have documented anti-Jewish statements and characterizations permeating news programs, religious broadcasts and documentaries. Among recent examples:

- Iranian television regularly broadcast speeches by Iranian leaders, such as President Ahmadinejad, questioning the Holocaust, and talk shows featuring infamous Holocaust deniers.
- MEMRI (The Middle East Media Research Institute) released video of a January 2010 program on Syrian Television alleging that Israeli rescue workers in Haiti were harvesting the organs of earthquake victims for trafficking. In the panel discussion, Dr. Jassem Zakariya, Professor of International Relations, Damascus University, states:
 "Of course, when we watch the scenes in this fine report, Shakespeare immediately comes to mind...
 Moderator: Shylock...
 Dr. Jassem Zakariya: Shylock, yes. As we see, the Jew has not changed – especially the Zionist Jews, who are now gathered in the so-called "Israel," which is the largest concentration in history of war criminals, who committed crimes against humanity. This is how they will be remembered if they continue with this."⁸
- Al Aqsa TV, the Hamas-run television station, incites hatred of Jews and Israelis. The station, directed by Palestinian Legislative Council member Fathi Ahmad Hammad, began broadcasting in the Gaza Strip in January 2006. Much of Al-Aqsa TV programming that glorifies violence is geared towards children, including music videos. In April 2007, the show "Tomorrow's Pioneers" featured a Mickey Mouse-like character, Farfour, promoting a message of radical Islam, anti-Semitism and

⁷ Al-Manar has a long record of incendiary anti-Jewish, anti-Israel and anti-American programming. It appears to be the source of the conspiracy theory that claimed that 4,000 Israelis were absent from their jobs at the World Trade Center on September 11, 2001, thereby implying that Israel was in some way behind the attack. The story was posted on its Web site on September 17, 2001 and picked up by extremists around the world. It has been banned from broadcasting several European countries and the United States.

⁸ The Middle East Media Research Institute, *Syrian TV and Organ Transplant Experts: Israel Reminiscent of Shylock, Engages in Organ Trafficking in Haiti and Worldwide*, Jan. 27, 2010, <http://www.memri.org/clip/en/2370.htm>.

hatred for the West. Farfour encouraged comments from children such as a call to "annihilate the Jews." On April 3, 2009, Hamas' Al-Aqsa TV broadcast a play that included the ancient blood libel of Jews using blood for religious rituals. The play, "The House of Sheikh Yassin" was performed at the Hamas-affiliated Islamic University in Gaza City, featured the character of an ultra-orthodox Jewish father. According to a translation by the Intelligence and Terrorism Information Center at the Israel Intelligence Heritage & Commemoration Center, the father declares: "We Jews hate Muslims. We like to kill Muslims. We Jews drink the blood of Muslims and Arabs." He then turns to the audience and asks, "Are you Arabs? Are you Muslims? I hate you. I hate you for the sake of [our] God's will." Later, the father says to his son, "Shimon, I want to teach you some things: first of all, you have to hate Muslims." Shimon answers, "I don't like them, I hate them." The father continues, "You have to drink Muslim blood. We have to wash our hands in Muslim blood" [in the context of Jewish ritual hand washing before prayer], and adds, "We have to conspire against Arabs and Muslims to satisfy God. We will destroy the Arabs and the Muslims."⁹

- Sermons by Muslim clerics broadcast on stations across the region are peppered with anti-Semitic accusations and references. For example, a MEMRI transcript of a speech by Egyptian cleric, Ahmad 'Eid Mihna, broadcast in January 2010 on Egypt's Al-Shabab TV in which he stated: "The history of the Jews shows that they are against any reform movement in the world. Any reformer, Muslim or not, will be attacked by the Jews. The Jews are like that. They thrive only on civil strife, on the selling of arms, on usury, on whorehouses, and so on.... Jews will be Jews-everywhere and always. Their innate characteristics include lying, deceiving, the practice of usury, and the selling of arms. Even when it comes to our brothers in Hamas - may Allah grant them victory - their number one source of weapons is the Jews. They buy weapons from Jewish traitors."¹⁰

Teaching Generations of Youth to Hate

After decades of these demonizing depictions generations of Arabs in the Middle East have only encountered Jews as images of evil, threatening, subhuman figures to be feared, hated and fought against. For example, the most recent State Department Country Report on Human Rights in Saudi Arabia noted the anti-Semitism propagated by Imams like the broadcast on Al Jazeera of Saudi cleric Khaled Al-Khlewī referring to Jews as "treacherous, disloyal, deceitful, and belligerent by nature" or high school textbooks saying, "Jews' lives are ruled by materialism, and usury consumes them."

Compounding this problem is the instantaneous, global transmission of these images via the internet and satellite television, from the Middle East to Europe, Africa, and the United States, reaching and potentially radicalizing a much larger audience.

We know well the connection between charged rhetoric and violent action. Incitement can create an environment conducive to, and accepting of, violence and terrorism. Anti-Semitic tenets are deeply rooted in the founding manifestos of al-Qaeda, Hamas, Hezbollah, and other Islamic extremist groups. We have also seen that where Jews are scapegoated and demonized, incendiary anti-American rhetoric flourishes as well, inviting extremists to step in with violent action.

The incitement also undermines prospects for the Arab-Israeli peace these governments purport to seek.

Recent peacemaking efforts have taught us that the dissemination of hate makes the road to peace ever more difficult. Achieving diplomatic breakthroughs depends not only on political leaders taking bold steps, but also on their preparation of the public for peace.

Take, for example, an Egyptian born in 1979 at the time of the signing of the Camp David Accord, the peace

⁹ Intelligence and Terrorism Information Center at the Israel Intelligence Heritage & Commemoration Center, The hate industry: Hamas incorporates crude anti-Semitism into its battle for hearts and minds, Apr. 8, 2009, http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e069.htm.

¹⁰ The Middle East Media Research Institute, Egyptian Cleric Ahmad 'Eid Mihna: The Jews Are Behind Misery, Hardship, Usury, and Whorehouses, Jan. 10, 2010, <http://www.memritv.org/clip/en/0/0/0/0/2409.htm>.

treaty between Israel and Egypt. He or she is now 30 years old and has lived an entire life in the era of peace between Israel and Egypt. Yet, given the images in the media and other influences in society, it is more likely than not that this Egyptian has incorporated the age-old anti-Semitic canards about Jews and Judaism into a world view. He or she has also been educated to believe anti-Semitic conspiracy theories – told that Jews introduced AIDS to Egypt; that Israel developed a special gum sold in Egypt that promotes promiscuity among young Egyptian girls; even a claim in the Egyptian weekly *Al-Usbu'* that Israel was responsible for the Tsunami as a result of an Israeli nuclear underground test that was conducted in the Indian Ocean. Given these ingrained prejudices, this Egyptian, more likely than not, doesn't understand or support Egypt's diplomatic relationship with the Jewish state. Even deeper prejudice, hatred and suspicion of Jews would likely be found on the streets of Saudi Arabia, Syria, the Gulf States and others.

The demonization of Jews also conveys to Israelis that the Arab/Muslim world will never be reconciled to the existence of the Jewish state, and that peace is impossible.

Official Responses: Fear, Denial, and Ambiguity

As a community, we have had meaningful access and opportunity to raise the issues with leaders at the highest levels in most places where Jews are targeted and there are examples of leadership that have made a difference. In both France and the UK, anti-Semitic attacks reached all-time highs in 2009, yet we commend both governments for their serious and sustained responses, including unambiguous condemnations by President Nicolas Sarkozy and Prime Minister Gordon Brown. However, all too often, even where there are documented cases or examples of public incitement, leaders at the highest levels of government often dismiss them as “isolated.” Other times, when a case is being investigated, we are told that since a process is underway, the leadership must not comment on an ongoing investigation or trial. While prosecution of anti-Semitic crimes is vital, the minority of cases that make it to prosecution are resolved many months or even years after the community has suffered the impact of the incident. Further, even where there are such laws, the lack of faith of targeted groups in the police or judicial system makes victims reticent to even initiate action.

In many places there are laws prohibiting anti-Semitic violence or discrimination, but what good is a law if the political leadership does not lay down a marker affirming that anti-Semitic accusations and conspiracy theories have no place in a country that respects Jewish rights, minority rights, human rights? Due to our experience in the US, we attach great importance to the value of leaders condemning anti-Semitic hate speech and believe that it can go further to protect vulnerable communities than some legal remedies available in other countries.

Even where hate speech is prohibited by law, judicial remedies in no way substitute for the swift statement from a political leader that sends an unequivocal message to extremists, reassuring the community that they are a valued part of their country, and that their rights enjoy the support and backing of the government.

The key is to overcome the denial and defensiveness that prevents solution oriented action. Time and again, governments respond to ADL reports and even our polling data with one reflexive response: “The data is flawed because my country is not an anti-Semitic country.” We remind governments that the real measure of the how a society measures up is not the presence of anti-Semitic attitudes or the documentation of incidents but rather how robust a response and prevention mechanism is in place to help the victims, to ensure that these incidents are investigated and prosecuted, and that the attitudes and rhetoric are rejected by the leaders.

UN and International Organizations: Challenges, Failures, and New Successes

The United Nations, given its origin and mission, should be a lead organization taking a strong and sustained stand against anti-Semitism. Unfortunately, its record has been mixed.

As Congress and successive US Administrations have experienced, the United Nations – particularly the General Assembly and the Human Rights Council – has called into question its effectiveness and credibility

as a voice on human rights through its fixation and excessive focus on Israel and its extreme criticism of Israeli policy and actions.

On some notable occasions, this harsh criticism of Israel crossed the line into overt anti-Semitism. Indeed the European Union's Fundamental Rights Agency's Working Definition of Antisemitism notes that branding the State of Israel as "a racist endeavor" or applying to it "double standards" is a manifestation of anti-Semitism.

The most infamous example of anti-Semitism at the United Nations was the 2001 U.N. World Conference Against Racism in Durban, South Africa. Members of the U.N. and a host of non-governmental organizations (NGOs) participated in this third international conference on racism, which was intended to examine effective mechanisms to combat racial discrimination and promote understanding and awareness of this global problem. Despite these laudable goals, the conference was hijacked by a number of NGOs and Arab states who attempted to focus on Israeli-Palestinian issues, and used their platform to delegitimize Israel and to promote base anti-Semitism. For example, at the NGO conference, the Arab Lawyers Union distributed material with caricatures depicting hook-nosed Jews as Nazis, Jews with moneybags, and dripping with blood. A poster around the conference had a picture of Hitler with the words: "What if Hitler had won? There would be no Israel, and no Palestinian bloodshed." Copies of the infamous "Protocols of the Elders of Zion" were on sale at booths. Jewish participants at the conference felt personally threatened in the overwhelming hostile and hate-filled atmosphere.

While Mary Robinson, the High Commissioner for Human Rights and the convener of the conference condemned the anti-Semitism at Durban, far too many participating NGO's and state representatives were silent, or downplayed the problem. The 2001 Durban conference will long be remembered as tainted for branding Israel as racist and for anti-Semitic incitement. This was chiefly evident at the NGO forum where the incitement led to even mistreatment and intimidation of Jewish participants.

Following Durban, and in the midst of a resurgence of anti-Jewish violence in Western Europe, efforts were made to address the issue of anti-Semitism at the U.N. Led by the Secretariat, special events have been organized to examine anti-Semitism and the U.N. has institutionalized annual commemoration of the Holocaust. Among these positive developments:

- In June 2004, at the first U.N. Department of Public Information Seminar on Anti-Semitism, Secretary-General Kofi Annan described what he called "an alarming resurgence of this phenomenon." In his remarks to the conference, the Secretary General acknowledged that "the United Nations' record on anti-Semitism has at times fallen short of our ideals" and made specific reference to the GA resolution of 1975, equating Zionism with racism, as "an especially unfortunate decision." In concluding his speech, the Secretary General called on the U.N. to take up the fight against anti-Semitism and proclaimed that "Jews everywhere must feel that the United Nations is their home, too."
- On November 23, 2004, the United Nations Third Committee passed a resolution on the "Elimination of all forms of religious intolerance," which included anti-Semitism. The resolution recognized "with deep concern the overall rise in instances of intolerance and violence directed against members of many religious communities in various parts of the world, including cases motivated by Islamophobia, anti-Semitism and Christianophobia."
- In January 2005, the General Assembly held a special session marking the 60th anniversary of the liberation of Nazi concentration camps during which a Holocaust exhibit was on display in the lobby of U.N. headquarters in New York. Annan visited Yad Vashem in a show of support. Even more significant, on November 1, 2005, the General Assembly passed a resolution establishing January 27 as an international Holocaust Memorial Day. The resolution was sponsored by the United States, Australia, Canada, Russia, and Israel and it was fully supported by Annan. January 27 is now commemorated annually at every United Nations facility.

- On January 26, 2007, the U.N. General Assembly adopted a resolution which "rejects efforts to deny the Holocaust." The resolution, introduced by the United States and co-sponsored by more than 100 countries, was adopted by consensus.

While these initiatives are extremely valuable in making clear that the international community has learned from the Holocaust, condemns anti-Semitism, and rejects Holocaust denial, unfortunately – just as experienced at Durban – anti-Semitic speech from official U.N. podiums is rarely countered or stopped and no mechanism exists to censure those who use U.N. organs to propagate anti-Jewish hate speech.

The most obvious example is the now-regular spectacle of Iranian President Mahmoud Ahmadinejad's anti-Semitic addresses from U.N. podiums. At the opening sessions of the General Assembly in 2008 and 2009, Ahmadinejad blamed Jews as the source of upheaval in the economy and in international conflicts. At the April 2009 Durban Review Conference in Geneva, Ahmadinejad made similar accusations, as well as statements denying the Holocaust.

While numerous delegations walked out to protest the Iranian leader's anti-Semitic statement at the Durban II Conference and in the 2009 General Assembly, it is notable that his speeches were greeted by delegate applause and that the U.N. apparatus continues to welcome him and his involvement in U.N. events. For example, following Ahmadinejad's speech in 2008 to General Assembly, then-General Assembly President Miguel D'Escoto Brockmann stood and embraced him. Commendably, Secretary General Ban Ki-moon has repeatedly strongly condemned President Ahmadinejad's anti-Semitic statements.

Similar incidents have occurred in various U.N. bodies where anti-Semitic statements and material are entered into the official record with little comment or censure. On April 23, 2008, in a statement to the Security Council, the Libyan Deputy Ambassador, Ibrahim Dabbashi, compared tactics used by Israel to the Nazi efforts to exterminate the Jews. Significantly, the ambassadors from Costa Rica, Belgium, the United States, Britain and France left the chamber in protest after the comments were made. At the March 2010 session of the Human Rights Council in Geneva, a Libyan-funded NGO, EAFORD, submitted a statement to the Council – which is included in the Council's website and permanent record – accusing Israel of harvesting organs of "dead, kidnapped and killed Palestinians" in a conspiracy involving "Israeli physicians, medical centers, rabbis and the Israeli Army." According to UN Watch, the HRC has the right to vet such submissions – and have done so to other submitted declarations and publications – yet, declined to do so in this instance.

This last example harkens back to other incidents. In March 2002, the Algerian representative to the U.N. Human Rights Commission, compared Israeli actions to those of the Nazis during World War II. Algerian Ambassador Mohamed-Salch Dembri stated: "Kristallnacht repeats itself daily and Masadas are perpetrated against the ghettoized Palestinian people ... We must end this 'night and fog', nacht und nebel, inflicted on the Palestinian population by the inheritors of the Shoah ... And what about the Israeli soldiers, the true disciples of Goebbels and of Himmler, who strip the clothes from their Palestinian prisoners in front of the cameras of the world and inscribe numbers on their bodies, just as they were tattooed in the concentration camps ... Must we wait in silence until new death camps are built, new massacres like at Babi Yar?" In March 1997, Ambassador Nabil Ramlawi, Permanent Observer of Palestine to the UN Commission on Human Rights, made a statement to the body: that "the Israeli authorities have infected by injection 300 Palestinian children with the HIV virus during the years of the Intifadah." In both of these incidents, the statements remain on the official records of the U.N. without comment, refutation or censure by the UN.

Other international entities suffer from the same problem. For example, speaking at the Organization of the Islamic Conference on October 16, 2003, Prime Minister Mahathir Mohamad of Malaysia told the assembly of leaders of 57 nations that Jews "rule the world by proxy" and "get others to fight and die for them." He called for a "final victory" by the world's 1.3 billion Muslims, who, he said "cannot be defeated by a few million Jews." While numerous world leaders condemned Mahathir's statements in the aftermath of the

speech, of the 57 nations assembled in the conference room, nobody stood up, nobody walked up and nobody challenged the base hatred in his declaration.

OSCE: An Inter-Governmental Organization Taking the Lead Fighting Anti-Semitism and Hate Crime

When we first were confronted by the surge of anti-Semitic hate violence in the OSCE region, we were a community still scarred by the United Nations World Conference Against Racism in Durban and the realization that the international community did not view anti-Semitism as a legitimate human rights issue. For Jewish communities targeted in ways they hadn't seen in decades, there was no one to call, no focal point of responsibility, and an international community largely in denial. Our groups came to Congress, to the Administration with a simple request: if international bodies such as the U.N. could not address the human rights violation that is anti-Semitism, let the OSCE, the largest regional security organization, with a body of commitments to fight anti-Semitism, convene a conference to address the racism of anti-Semitism.

Since then, the OSCE has become more than a locus of activity and progress in raising awareness about new forms of anti-Semitism and the dangers they pose. The OSCE has been a forum for forthright recognition of and response to anti-Semitism in what continues to be a poisonous and politicized environment. The Commissioners know well, and were deeply involved in, the groundbreaking Ministerial Council Decisions, Parliamentary Assembly Resolutions and tolerance conferences that secured commitments for action by Participating States and for the OSCE institutions. The appointment by the Chair in Office of Personal Representatives on anti-Semitism, on Xenophobia and on Discrimination against Muslims has added political muscle to OSCE efforts to raise the profile of these issues. In only three years, we all agree that ODIHR has made tangible progress in fulfilling its tasking to monitor and report on hate incidents and to share promising programs with states.

So now, in the face of hate, there is a place to call, a locus for action, an intergovernmental partnership with civil society to spotlight and combat this problem. Institutions, including those of the United Nations, are using OSCE materials in areas like Holocaust remembrance and education.

The OSCE has adopted in just a few years; a sound body of commitments by the Participating States; a special representative for combating anti-Semitism who can bring political muscle and attention to the issue; and an impressive body of cutting edge program activity underway as part of the Tolerance and non-Discrimination program that grew out of these efforts.

This is a model for how, in the relatively brief time of seven years, an organization can transcend a reticence to address the problem and catalyze a serious IGO initiative to combat not just anti-Semitism but to address the growth of hate crime and discrimination on a comprehensive basis.

The Costs of the Politicization of Human Rights in International Organizations

Reflecting on the trajectory in the OSCE brings to mind perhaps the most tragic flaw in the workings of bodies like the Human Rights Council. The misguided and inappropriate political campaigns which can take over the process leave little space to advance protections for the real victims of discrimination and wide-scale repression.

Rather than allow the sessions of the Council to be taken over by debates over how much to curb free expression in the name of protecting a religion from critique, governments should be addressing the most lethal form of "defamation" or discrimination and manifestation of hate – hate violence. The global problem of anti-Semitism and all forms of hate crime, the barriers, harassment and difficulty faced by hate crime response advocates and NGOs has grown. Of course these barriers are pronounced and difficult in precisely those countries who load the HRC agenda with anything to distract attention from the treatment of their own minorities and the Council Members would do well to fight "defamation" and hate speech by first beginning in their own countries.

One example of how anti-Semitism is used as a diversion is in Egypt, an authoritarian regime that allows the strategic ebb and flow of anti-Semitism in their government run media such that, two generations after it signed a peace treaty with Israel, a prominent minister of culture has to publicly pledge to burn any Hebrew books found in any Egyptian library. Yes, when a synagogue was vandalized there were arrests, but the government has led people away from tolerance and toward a society where a Cairo bookseller would ask a customer why they were seeking a particularly rare version of the *Protocols of the Elders of Zion* when there are so many other versions readily available in the store. This is a country where the daily diet of anti-Semitism, where demonizing Jews is the background music in which children are raised, the political winds will not tolerate any presence of Jews or their culture or language. These regimes which tolerate, manipulate, foment and use anti-Semitism in this way are the same regimes that are sliding backward in their protection of human rights broadly.

US engagement with these countries must be honest enough, respectful enough to expect better from our allies in the Arab World. Ignoring the propagation of anti-Semitism emanating from the Arab and Muslim world has not provided any opening for improvement; it has not helped the other minorities who live in those places.

Recommendations for Action

The incidents and the trends they represent are tragic and challenging, but they point to important ways the US and other governments can institutionalize response tools as part of a systemic, comprehensive strategy. Many of our groups – as well as Assistant Secretary of State for Human Rights Michael Posner – have highlighted the need for the US to move from a reporting agenda to a protection agenda. Our recommendations provide a roadmap to apply that principle to combating anti-Semitism.

Governments bear the primary responsibility to ensure that Jews are afforded the same rights as others to live in security and with dignity in their communities. When it comes to anti-Semitism, governments should display similar resolve as they would against other threats to their security and the health of their democracy. Moreover, the will to act must be based upon an understanding of the issue at hand. Jewish communities were historically targeted by state-driven discrimination and persecution. While the hatred that motivated these policies is alive and well today, there is a crucial difference: in the majority of states where Jews live, they are protected by the laws and norms of democratic societies. In the democratic world, anti-Semitism is driven by toxic, backward-looking social forces, not by states. If, in the past, the challenge was to combat state-supported anti-Semitism, the challenge now lies in the need for states to make good on their pledges to fight anti-Semitism, by mobilizing political will and utilizing the human rights and anti-discrimination instruments related to anti-Semitism and intolerance.

1. What Political Leaders Can Do:

- a. **Use the bully pulpit to speak out.** Political leaders have the most immediate and significant opportunity in the aftermath of an anti-Semitic incident or when a public figure foments anti-Semitism to set the course of a nation's response. Nothing gives the community a greater sense of belonging and security than knowing that anti-Semitic myths and canards and accusations will be condemned and rejected by the leadership of a society. Nothing gives a greater sense of security than knowing that their government takes the right to live free of harassment seriously and that the state will investigate and prosecute anti-Semitic crimes expeditiously and to the full extent of the law. Even absent a sound hate crime law, where there is political will, where the police know anti-Semitism when they see it, when the local and national officials marginalize and reject those crimes, there is a way that can be found to respond. Of course, government leaders should begin by leading by example at home.
- b. **Take opportunities to shape public attitudes and set a tone of civility.** Political leaders should lead by example in their own country and must never engage in divisive appeals that

demonize any member of society based on race, ethnicity, sexual orientation, gender, gender identity, or religion. When political leaders are determined to build political consensus across party lines that some behaviors are beyond the pale, we see real change. We know in our own country the power that words have to shape, not just our political debate, but the environment in which targeted communities live.

- c. **Zero tolerance for anti-Semitism in international forums.** We have cited examples of international forums that have given anti-Semitism a podium. By working together, nations have it well within their power today to play a very different role in international organizations and to use these opportunities to marginalize instead of to “tolerate” anti-Semitism. Those who come before the community of nations to project hatred for one group should face censure, not applause.

2. What the US Can Do:

- a. **Sustain US leadership and support for OSCE work on anti-Semitism and intolerance.** The US should support the specialized work of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) Tolerance and non-Discrimination Unit and help promote its education programs and other tools to combat anti-Semitism and hate crime. The vast majority of the events and programs that have built momentum in this process are funded through extra budgetary contributions from just a few Participating States. As part of its longstanding commitment to the OSCE Human Dimension, the US was a key supporter of the tolerance agenda and specific programs to fight anti-Semitism.
- b. **Prioritize combating anti-Semitism as a bilateral Issue.** We know well that where anti-Semitism flourishes, where hate crime goes unchallenged, security, and respect for human rights and the rule of law is not sound. The US should let our allies know that addressing anti-Semitism and hate crime is part of the discussion on our bilateral agenda. We value the specialized work of the Human Rights Bureau and the dedicated focus of Special Envoy Hannah Rosenthal to highlight and report on the distinct nature of how anti-Semitism manifests today and the tools needed to respond. In order to strengthen and institutionalize these efforts and a US response, they have to be integrated into the work of the Regional Bureaus in the State Department who have a chief role in shaping the bilateral agenda with those countries. Congress has a central role to play in promoting this emphasis both within the State Department and in your own bilateral contacts and outreach to foreign officials.
- c. **Sustain support for the Office of Special Envoy.** One of the primary reasons it is so important that Presidents Bush and Obama appointed Special Envoys to Monitor and Combat Anti-Semitism is because anti-Semitism is a continuously mutating phenomenon that is not always easy to discern. As this testimony has set out, it sometimes must be addressed in unique ways and it requires the attention of someone experienced to have a particular focus on crafting a strategy to address it.
- d. **Improving US reporting and response to anti-Semitism.** The State Department Country Reports on Human Rights have been increasingly attentive to the issue of how anti-Semitism in the public discourse puts Jews at risk, as well as how hostility toward Israel and Jews is too frequently comingled. But these issues are delicate and nuanced. Specific reporting instructions highlighting the key trends and manifestations of anti-Semitism would help reporting officers provide the State Department with more comparable information from different countries that would illustrate trends and help them detect emerging issues. While many Embassies have deep and longstanding relationships with Jewish community activists, there are many communities who have never had contact with their local US mission. Outreach to Jewish communities is one way to facilitate data collection and connect Jewish communities with US resources and efforts. Specialized training could also be offered in the Foreign Service Institute for diplomats, including Human Rights Officers, and incoming Ambassadors.
- e. **Combating anti-Semitism should be part of the full array of human rights and**

democracy programming, funding and public diplomacy efforts. For example, the State Department's International Visitor Programs and other US-funded exchange and public diplomacy programs should reflect the growing US and international recognition of anti-Semitism and of the problem of hate crime broadly. US assistance programs should fund prevention efforts as well as response. While part of the challenge is to institute legal norms and protections for victims of anti-Semitism, we also know that prevention efforts can head off tension, conflict, and violence that can erupt when anti-Semitism goes unanswered. US assistance programs could focus on public education campaigns to promote tolerance.

- f. **The US must not demur from addressing anti-Semitism with Muslim and Arab leaders.** In his Cairo speech, President Obama spoke directly to the Arab World about the centuries of persecution and anti-Semitism endured by the Jewish people. The President understood the challenge, that hatred of Jews is deeply rooted there and is poised to be part of the landscape for generations to come if it is not addressed. The instruments of US public diplomacy, and President Obama's emissary to the Organization of the Islamic Conference should actualize the spirit of the President's statement in Cairo and seek ways to address the issue of anti-Semitism where it is needed most. This can begin even in the cultural arena or at the local Embassy level. For example, when Riyadh's international book fair in March 2010 – billed as an event to display the Saudi Kingdom's "openness to the world" – displayed anti-Semitic titles, it would be important for the US to communicate that books like the Protocols of the Elders of Zion are inappropriate and offensive.
- g. **Provide training and assistance to improve the policing and prosecution of anti-Semitism.** US training and Technical Assistance programs such as rule of law and judicial assistance programs and police training delivered through US International Law Enforcement Academies are prime vehicles to reach governmental and law enforcement audiences around the world. We should not miss an opportunity to provide training on hate crime response generally – including legal tools, model policies and training on investigating, and prosecuting anti-Semitic crimes.
- h. **Strengthen the fight against anti-Semitism and intolerance at home.** Congress has been instrumental in advancing the fight against global anti-Semitism on the international stage. As legislators, each of you has the ability to also strengthen America's efforts to address and prevent anti-Semitism and hate crime here at home. The federal government has an essential role to play in helping law enforcement, communities, and schools implement effective hate crime prevention programs and activities. The latest *ADL Audit of Anti-Semitic Incidents* found that, while overall numbers of incidents showed a decline, a troubling number of incidents took place in public schools against students, and often by students. In addition, according to the FBI annual Hate Crime Statistics Act report for 2008, over 900 of the 7,783 reported hate crime incidents (11.7%) took place at schools or colleges. We know of no federal anti-bias or hate crime education and prevention programming that is currently addressing youth hate violence. Members of Congress should authorize federal anti-bias and hate crime education programs to help schools and communities address violent bigotry.

3. For All Governments:

- a. **National and local authorities must call attacks on Jews and Jewish institutions what they are – anti-Semitism.** Far too many anti-Semitic incidents are still rationalized as hooliganism or as expressions of political disagreement with Israel. In fact, they are a violation of national law in many states and of international norms and treaties against incitement, religious intolerance, and hate violence.
- b. **Educate about anti-Semitism and provide tools to reject and combat it.** Anti-bias lessons which focus on the specific nature of anti-Semitism should be directly integrated into the curriculum and into after-school program activities. Education ministries should establish anti-bias teaching standards and model policies to protect students from school-based anti-Semitic incidents and harassment. Schools should adopt formal written policies

governing how teachers, administrators and security professionals identify and respond effectively to bias-motivated bullying, violence, and harassment. The policy should include formal reporting and complaint procedures and facilitate cooperation between educators and law enforcement officials.

- c. **Promote effective Holocaust remembrance and education.** There is increased recognition that Holocaust education alone does not counter anti-Semitism and that effective programs must also address contemporary anti-Semitism as a subject on its own. An ideal forum for the US to advance an initiative would be through UNESCO which has a new mandate on Holocaust Education and an existing mandate in the area of promoting tolerance and diversity.

4. Overcoming the denial and failure to monitor: Promote new thinking about what data on anti-Semitism means

Congress and the US government can play a role in changing how data on anti-Semitism is framed and viewed by foreign governments. Countries should be measured by their response to the problem and not just by the existence of the problem. The existence of a data collection mechanism is a sign that that government is recognizing the problem and taking the first step to respond. What the state does with it, how they interpret it, and determine which action flows from it constitutes the more important measure. By the same logic, the lack of recorded incidents in a country doesn't mean it is safe. Underreporting is denial, not success.

Physical assaults on Jews or Jewish institutions are not the only incidents that should be monitored. There are many countries where the discourse is extremely hostile toward Jews, even if there are few violent incidents, perhaps because there may be few if any Jewish targets. The lack of violent incidents in no way proves that the response mechanisms and the institutions and safeguards are sound in a particular country.

At ADL we know well the importance of contextualizing hate crime data. We work in close partnership with police and local authorities, raising awareness among leaders and communities about the meaning of hate crime data. In cities across the country, the Anti-Defamation League stands side-by-side with a gay victim, an African American, a Jewish victim. We also stand with the chief of police to release the annual hate crime numbers for that area to show that, even where incidents happen, the community should be heartened that officials and good people across the community are there when they need them.

- 5. **Utilize parliamentary forums.** Many of the initiatives I have described were the product of Congressional hearings and inquiries like this one. The OSCE Parliamentary Assembly has mobilized some of the OSCE efforts. The All-Party Parliamentary Inquiry Into Antisemitism in the UK as also a model other parliaments could follow. Parliamentarians from different countries gathered last year in London for the founding Conference and Summit of the Inter-parliamentary Coalition for Combating Antisemitism, issued a "London Declaration on Combating Antisemitism" which any parliamentarian can endorse.

America's leadership in putting the fight against anti-Semitism and hate on the international agenda is a credit to successive Congresses that have worked in a substantive and bipartisan way to engage and shape the focus of administration after administration to stay committed to this fight. As the current Administration moves forward, as Assistant Secretary Posner has remarked, from a reporting agenda toward a protection agenda, we will look to this subcommittee to help support a sustained US commitment to build on the momentum that now exists and to invigorate American efforts in the fight against anti-Semitism and hate.

Appendix I: What is Anti-Semitism?

Anti-Semitism is a form of hatred, mistrust, and contempt for Jews based on stereotypes and myths. It can invoke the belief that Jews have extraordinary influence with which they conspire to harm or control society. It can target Jews as individuals, as a group or a people, or it can target Israel as a Jewish entity. Criticism of Israel or Zionism is anti-Semitic when it invokes anti-Jewish stereotypes, symbols and images, or holds Jews collectively responsible for actions of the State of Israel.

Anti-Semitism has existed over many centuries and the negative stereotypes it draws on have taken hold in the popular culture and thought of many societies. It can take the form of hate speech, discrimination, or violence against people or property. It may target individuals or communities on small or large scales. The most extreme example of this was the Nazi's organized plan to exterminate the Jews through the Holocaust.

Various forms of intolerance – racism, xenophobia, anti-Semitism – share many elements in common. Stereotyping, seeing the victim as the other, are among these common elements. On the other hand, there are core characteristics unique to each type of hatred. In the case of anti-Semitism, it resides in a matrix of three beliefs about Jews:

1. They have almost mythical, overwhelming power;
2. They are more loyal to an outside party than they are to their own country;
3. They approach work or involvements, not merely as individuals, but rather in a cabal, in a conspiracy to achieve some sinister, Jewish-centric end.

This matrix is insidious and provides the fuel for a lethal form of hatred, political anti-Semitism. This belief system, when running rampant, created the justification for large-scale murders of Jews on the grounds that Jews were so poisonous that society had a right to defend itself in any way against this poison.

There is sometimes confusion around the term "Semitic," which historically has referred to a language group that includes Arabic, Amharic, and Hebrew. "Semite" was a term that described a person who spoke one of these languages. Notwithstanding the traditional meaning of the word "Semite," anti-Semitism in conventional English refers specifically to hatred of Jews.

The word "anti-Semitism" is generally attributed to Wilhelm Marr, who used the German term "Antisemitismus" in a book entitled "The Way to Victory of Germanicism over Judaism," in 1879. Marr claimed that "scientific" research into the characteristics of the Jewish "race" justified hatred for Jews. The same year his book was published, Marr founded a political party, "The League of Antisemites," which campaigned for the expulsion of Jews from Germany. Just over half a century later, Adolf Hitler and the Nazi Party took this racial hatred for Jews a deadly step further when they exterminated six million Jews in what they called "The Final Solution."

There are two key points to understanding the origins of the word "anti-Semitism." The first is that "anti-Semitism" was popularized as a term not by Jews themselves, but by individuals and political groups who openly proclaimed hatred of the Jewish people. The second is that "anti-Semitism" in modern English refers solely to hatred directed against Jews. Some who express prejudice or hatred toward the Jewish people claim that they cannot be anti-Semites because they too, as speakers of a Semitic language, are technically "Semites." This semantic argument that a speaker of a certain language cannot by definition hold prejudice against Jews detracts from the real issue and undercuts the potential for dialogue about ways to end hatred of all kinds.

Today, it is all too common to find anti-Semitism under the guise of extreme criticism of Israel or of Zionism, the founding nationalist ideology of the Jewish state. In these cases, criticism of Israel crosses the line into anti-Semitism when such criticism invokes age-old anti-Jewish stereotypes, or when Israel is singularly demonized.

Holocaust denial is a form of anti-Semitism that minimizes or denies the Nazi regime's systematic mass murder of six million Jews in Europe during World War II. Holocaust deniers suggest that Jews pulled off a scam of monumental proportions, compelling governments, media, and academia around the world to acknowledge a catastrophe that never really happened.

The most vexing issue raised by anti-Semitism is its constant presence throughout history, across different societies and cultures, as well as its continued existence in our own time. It's important to note that the presence of a substantial Jewish community is not a necessary condition for anti-Semitism to emerge. An anti-Semitic campaign launched by Poland's communist regime in the late 1960s was described by one scholar as "anti-Semitism without Jews", because Poland's Jewish community, which numbered over 3 million before World War II, had already been decimated by the Nazi Holocaust and further depleted by the emigration of survivors. Today, the Arab and Islamic world is a major incubator of anti-Semitism towards Jews individually or as a collective, even though the Jewish population in these countries is nearly invisible.

The existence of anti-Semitism in societies where there are few or no Jews, and its evolution throughout history, demonstrates how deeply embedded anti-Semitism has been across different cultures and also why persecution has been a constant fear in Jewish life for centuries. Anti-Semitism has been compared to a virus which adapts to different conditions. As with a virus, when it comes to anti-Semitism, it is possible to identify both consistent elements and elements which, while borrowing from previous eruptions, are updated to suit a particular environment. Many of these elements – conspiracy theories, myths, mob violence and much else – recur throughout the history.

Raul Hilberg, an eminent historian of the Holocaust, telescoped the history of anti-Semitism like this: "The missionaries of Christianity had said in effect: You have no right to live among us as Jews. The secular rulers who followed had proclaimed: You have no right to live among us. The German Nazis at last decreed: You have no right to live. The German Nazis, then, did not discard the past; they built upon it. They did not begin a development; they completed it."

Appendix II: Select Examples of Anti-Semitic Incidents – 2009-2010

Argentina

April 1, 2010 - Santa Teresita – Swastikas and anti-Semitic phrases, such as "Morten Juden" (Death to Jews), were spray painted near a hotel where more than 200 people were celebrating Passover. Unknown vandals in motorcycle also shouted similar anti-Semitic slogans when passing by the hotel in the night of March 31.

January 13, 2010 - Mar del Plata – Vandals spray-painted a swastika near the entrance of the Miramar Synagogue, and a rock was thrown at one of its windows, shattering the glass pane.

December 21, 2009 – San Luis – Twenty-seven tombs and a wall of the Jewish cemetery in San Luis were vandalized with anti-Semitic graffiti, including swastikas and the slogans "Death to F** Jews."

December 8, 2009 - Buenos Aires - Six tombs in the Liniers cemetery, a Jewish cemetery in the western part of the city, were vandalized. The perpetrators took the lids off the tombs and dug up the area around the graves.

September 12, 2009 – Buenos Aires – A week before the Jewish High Holidays, 58 tombs were vandalized and robbed in the cemetery of La Tablada. Eight of the graves belong to victims of the 1994 terrorist attack on the AMIA Jewish community center.

May 17, 2009 - Buenos Aires - At least three people and a police officer were injured in a violent attack against a crowd celebrating Israel's anniversary. Members of Argentina's Jewish community were confronted by a gang of youths who were armed with clubs, knives and other weapons. The following day, two synagogues in the Buenos Aires neighborhood of Belgrano received bomb threats.

April 21, 2009 - Buenos Aires - An ancient Jewish cemetery was defaced on the Holocaust Remembrance Day. Vandals painted swastikas and crossed-out Stars of David on walls.

Australia

August 17, 2009 - Sydney - The number "88" - shorthand for "Heil Hitler" and a common calling card of racists - was painted on the home and footpath of Eric Roozendaal, the treasurer of New South Wales, who is known for speaking out against right-wing extremist groups.

January 5, 2009 - Melbourne - A synagogue was defaced with anti-Semitic graffiti.

Austria

March 5, 2010 - Upper Austria - Vandals defaced the walls of the former Nazi concentration camp Mauthausen with anti-Jewish and anti-Turkish slurs.

December 12, 2009 - Vienna - A local Chabad rabbi was violently attacked by a man who bit off part of his finger following a public menorah lighting ceremony celebrating Hanukkah.

Belarus

July 31, 2009 - Brest - Anti-Semitic epithets and a swastika were spray-painted on a Holocaust memorial.

May 9, 2009 - Brest - A Holocaust memorial was set on fire on the day commemorated as Victory Day over the Nazis.

Belgium

January 15, 2010 - Antwerp - A Molotov cocktail was thrown at the main entrance of the Bouwmeester synagogue. Some bum marks were left on the wall near the door, but no other damage was reported. Police are investigating.

July 5, 2009 - Antwerp - A car slowed down next to an identifiably Orthodox Jew who was walking on the sidewalk and the driver spit on him. The victim noted the license plate and reported the incident to police.

June 11, 2009 - Antwerp - A group of Arab teenagers threw rocks at children of the Belzer Hasidic community.

April 28, 2009 - Antwerp - A rabbi from Lyon, France, was insulted by a taxi driver. After the rabbi entered the car, the driver opened all the windows and said that there is a microbe in his car and that he should be wearing a mask.

April 21, 2009 - Antwerp - A 78-year-old Orthodox Jewish man was attacked and pushed to the ground. Witnesses tried to catch the perpetrator, but were unsuccessful. The victim was briefly hospitalized.

March 3, 2009 - Antwerp - Four Jewish men from the Belzer Hasidic community were attacked while walking down the street. The assailant hit them with a metal bar and screamed in Arabic "Allah Akhbar!" All four victims were hospitalized.

January 14, 2009 - Schaerbeek - Cobblestones were thrown at a synagogue, but did not cause any permanent damage.

January 7, 2009 - Charleroi - A synagogue was spray-painted with the words "Hezbollah," "Israel," and "Death."

January 6, 2009 - Schaerbeek - Four Molotov cocktails were thrown at a synagogue.

January 5, 2009 - Charleroi - Rocks were thrown at a synagogue.

January 5, 2009 - Forest - A Molotov cocktail was thrown at a synagogue.

January 4, 2009 - Antwerp - Belgian Jewish leaders say they have received dozens of death threats.

January 4, 2009 - Anderlecht - A brick and eggs were thrown at a Jewish school.

January 3, 2009 - Antwerp - Arson was attempted against a Jewish home.

Bulgaria

July 13, 2009 - Burgas - The doors of a synagogue and the facade of a Jewish community center were simultaneously set on fire. The fire caused minor damage to both buildings.

Canada

November 14-15, 2009 - Calgary, Alberta - Several Jewish buildings, including two synagogues and a Holocaust monument, were vandalized with anti-Semitic graffiti, including swastikas and slogans such as "Kill Jews" and "6 million more." Anti-Jewish graffiti was also discovered on bus stops, fences and mailboxes nearby.

October 21, 2009 - Ottawa - Vandals desecrated the Jewish Memorial Gardens near Greely, painting swastikas and anti-Semitic epithets on eight headstones and on the entrance to the burial grounds.

Egypt

February 21, 2010 - Cairo - A man claiming to be angry at Israel threw a suitcase containing a homemade bomb at the city's last active synagogue, Shaar Hashamim. A 49-year-old man was arrested and charged in the incident.

France

March 18, 2010 - Marseille - "Jews are whores" was spray-painted on the Ohel Yaacov synagogue.

January 26, 2010 - Strasbourg - Swastikas and anti-Semitic phrases such as "Juden Raus" (Jews out) were painted on more than 30 headstones in a local Jewish cemetery. Some of the headstones were also damaged or overturned.

September 8, 2009 - Marseille - A local Jewish school, ORT Bramson High School, was attacked by vandals who threw aerosol cans soaked with flammable liquid at the school building. Nearly 400 students were in the building at the time of the attack, but none were injured.

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July 1, 2009 - Lannion - Many residents received leaflets containing anti-Semitic language in their mailboxes. The mayor urged the police to find those responsible as quickly as possible.

April 11, 2009 - Drancy - A five-foot black swastika and several anti-Semitic slogans were painted on a railway wagon that was used to deport French Jews. Two other large swastikas were daubed on a commemorative monument and on the wall of a nearby shop.

March 9, 2009 - Creteil - An 18 year old Jewish youth, wearing a yarmulke, was attacked by three strangers on his way to synagogue for Purim. They threw objects at him, including a jar of mustard that struck him on the head. The resulting injuries required stitches. The victim was able to provide description of his attackers to the police who apprehended them.

January 24, 2009 - Paris - A kosher supermarket's warehouse was firebombed, causing a major fire in the eastern Paris suburb of Montreuil. An unused Molotov cocktail was found at the scene.

January 17, 2009 - Creteil - Two 16-year-old Jews were beaten in front of a kosher restaurant by a gang that shouted "Palestine will win, dirty Jews!" One of the victims suffered head injuries, and the other was hit in the back. Seven were arrested in connection with the confrontation.

January 17, 2009 - Hayangue - A Molotov cocktail was thrown at a synagogue and burned the door.

January 15, 2009 - Fontenay-sous-Bois - Carjackers shouted anti-Semitic threats and stabbed a man four times after noticing his Star of David necklace. The victim suffered stab wounds to the head and neck.

January 15, 2009 - Villeneuve-Saint-Georges - A synagogue in a small town southeast of Paris was firebombed, causing the door to catch fire.

January 15, 2009 - Villeneuve Saint Georges - The door of a synagogue south of Paris was burned, when at least one Molotov cocktail was thrown at it. No other damage was reported.

January 14, 2009 - Mulhouse - "Death to Israel", "Long live Palestine" and "(expletive) France" were spray-painted on a synagogue.

January 13, 2009 - Lille - A swastika and the letters "ZOG" were painted on a synagogue. "ZOG" is a common anti-Semitic acronym for "Zionist Occupied Government."

January 11-12, 2009 - Bischheim - Three Molotov cocktails were thrown at a synagogue in Bischheim, near Strasbourg, damaging the exterior. No one was injured.

January 11, 2009 - Paris - Molotov cocktails were thrown at a synagogue in Saint Denis, a northern suburb of Paris. The firebombs bounced off the reinforced window and caused damage to an adjacent Jewish restaurant.

January 8, 2009 - Nice - "Death to Jews" was spray-painted outside of a primary school in Nice.

January 7, 2009 - Villiers-le-Bel - A 15-year-old girl accused a gang of ten people, including three schoolmates, of an anti-Semitic assault in a Paris suburb. She said she was thrown to the ground, kicked, and punched, and that the attackers told her that they were avenging Palestinians.

January 5, 2009 - Lingolsheim - A synagogue in a small town near Strasbourg was vandalized with graffiti, including the word "assassins."

January 5, 2009 - Toulouse - A burning car with a Molotov cocktail was rammed into the door of a synagogue while a rabbi was giving a class inside. Another car was also prepared with Molotov cocktails, but an alarm scared off the attackers before it was used.

January 4, 2009 - Paris - A 29-year-old Jewish man was attacked at a Paris subway station by a gang of about 20 people who yelled "Palestine will win." They hit him in the face and reportedly filmed the scene.

January 3, 2009 - Toulon - A car at the synagogue in Toulon was burned.

January 3, 2009 - Metz - An anti-Israel protest was directed at the synagogue in Metz.

January 2, 2009 - Valenton - A Jewish doctor, 70, was shot twice in the back as he left his office in a small town south of Paris. The police have no witnesses and no alternative theories about why he was attacked.

January 1, 2009 - Bordeaux - Two kosher food shops were vandalized.

Germany

March 26, 2010 - Berlin - A man and two women, all in their 20's, were beaten on a subway station platform. The three were approached by a man who asked if they were Jewish. He reportedly returned some time later with a group of youths who attacked the three, physically beating and kicking them and hitting them over the head with beer bottles.

November 7, 2009 - Dresden - A synagogue was vandalized with swastikas and other anti-Semitic hate symbols. The vandalism took place days prior to events commemorating the 71st anniversary of Kristallnacht.

January 28, 2009 - Laupheim - Vandals spray-painted several swastikas on the wall of a Jewish cemetery.

January 25, 2009 - Waren - A Holocaust memorial was desecrated the day after a commemoration ceremony. The perpetrators threw paint bombs at the memorial stone and the flowers which lay upon the stone.

January 14, 2009 - Berlin - A guard at a Berlin synagogue was attacked with an iron bar and had to be hospitalized. The assailant was subdued by other guards. The police described him as "stateless" and he claimed to be Palestinian.

January 12, 2009 - Bedburg - An old Jewish cemetery was defaced with a swastika and Nazi-symbols.

January 7, 2009 - Rostock - Vandals defaced the Jewish Center by throwing stones through the windows, one of which was decorated with the Star of David.

January 3, 2009 - Berlin - Berlin's Holocaust memorial was vandalized with anti-Semitic slogans and swastikas.

Greece

January 6, 2010 - Crete -- Unknown vandals broke into the island's only synagogue and set fire to the building using an improvised firebomb. The perpetrators also threw a bar of soap at the building, to illustrate the common Greek anti-Semitic expression "I'll make you into a bar of soap." The building sustained significant water and smoke damage.

June 3, 2009 - Ioannina - Six graves and the main memorial of a Jewish cemetery were vandalized. The perpetrators also covered the tombstones with blood from a turtle they had killed.

January 18, 2009 - Ioannina - Three tombs in a Jewish cemetery were attacked and broken.

January 8, 2009 - Athens - Graffiti reading "Israelites - Jews - Murderers" was found at the Jewish cemetery.

January 4, 2009 - Athens - The leader of a far-right party published an editorial that accused Israel of acting in Gaza like the Nazis, claiming that such could be expected of Jews because they are "Christ-killers." The editorial also included the phrase, "it is known all over the world that a Jew smells of blood."

Hungary

October 26, 2009 - Mako - The memorial plaque commemorating the 1944 death of Rabbi Dr. Armin Kecskeneti, a famous Hungarian chief rabbi, was shattered, and its wall defaced with anti-Jewish and Holocaust denying statements such as "What Six Million?"

India

January 5, 2010 - Mumbai - The local Chabad house received a letter threatening another attack. The letter read, "Israel is dogs. We will strike again -- heil, Hitler," and was accompanied by a photo of Hitler. The letter was received at the site of a terrorist attack more than a year ago that killed six Jews, including the rabbis who ran the center.

Italy

January 21-22, 2009 - Rome - Two members of the neo-fascist group Militia vandalized several Jewish-owned shops and put up a banner reading "Boycott Israel!" The young neo-Nazis were arrested by the police.

January 18, 2009 - Florence - A gas canister, rigged as an explosive device, was found at the entrance to the Chabad house. The device failed to explode and was safely removed.

January 12, 2009 - Pisa - Red paint was thrown at the town synagogue.

Lithuania

January 20, 2010 - Vilnius - A statue commemorating Dr. Tsemakh Shabad, a near-legendary figure in Vilna Jewish lore, was defaced with paint.

Late August - Vezaiciai - A swastika and the Nazi slogan "Juden raus" were painted on a sign commemorating a site where Nazis murdered Jews.

January 17-18, 2009 - Klaipeda - "Kill Jews," "Palestine," and swastikas were painted on a Jewish community center.

January 18, 2009 - Amsterdam - A Molotov cocktail was thrown into a commercial building with a Hebrew inscription that houses a synagogue. The small fire was extinguished before major damage was done.

January 16, 2009 - Klaipeda - "Get rid of the Jews" and swastikas were painted on the wall of the Jewish community center.

Moldova

December 13, 2009 - Chisinau - A mob led by an Orthodox priest and shouting anti-Semitic statements pulled down a Menorah in a local square and replaced it with a cross. The mob used hammers and iron bars to pull down the menorah while shouting "We are an Orthodox country. Stephan the Great defended our country from all kinds of kikes, and now they come and put their menorah here. This is anarchy." More

July 1, 2009 - Panasheshti - A group of eight or nine youths attacked a rabbi who was on a fishing trip with his students. The perpetrators shouted anti-Semitic insults as they assaulted and robbed him.

March 1, 2009 - Bendery - Vandals broke into a synagogue, desecrating a Torah scroll, the ark and prayer table. They also defaced the walls with neo-Nazi graffiti, burned posters, and stole religious objects.

Netherlands

July 11, 2009 - Amsterdam - Swastikas and the word "Jew" were scribbled on more than 20 cars in the Oud-Zuid region.

January 3, 2009 - Amsterdam - At an anti-Israel rally that included the participation of a Dutch legislator, the crowd chanted, "Hamas, Hamas, Jews to the gas."

Norway

May 15, 2009 - Oslo - The Jewish section of a cemetery was desecrated in an anti-Semitic attack. Vandals painted black swastikas and "The War is Not Over" on several tombstones at the historic Sofienberg cemetery, which is a national heritage site.

Poland

March 13, 2010 - Krakow - A former concentration camp, Plaszow, was defaced with anti-Semitic slogans such as "Juden Raus" (Jews out) and "Hitler Good." The vandalism was discovered on the 67th anniversary of the Nazi liquidation of the Krakow ghetto.

June 13, 2009 - Wroclaw - Vandals painted a swastika, the SS symbol and the words "Jude Raus" (Jews out) on a synagogue and a nearby Jewish Information Center.

June 16, 2009 - Chelm - "Jews to the oven, for this is your place" was written in Polish on the entrance sign of the Gdansk-Chelm Jewish cemetery.

May 19, 2009 - Gora Kalwaria - Swastikas and insults, including "Jude Raus" (Jews out) were painted on walls of a burial chamber of the rabbis of Ger.

Romania

July 14, 2009 - Ploiesti - Vandals destroyed five tombstones of a Jewish cemetery.

Russia

March 17, 2010 - Tver - Leaflets with photos of Russia's Chief Rabbi Berl Lazar were hung on lampposts with the phrases: "Remember, our main enemy is the Jew. If you see him, beat him!"

December 14, 2009 - Smolensk - A public menorah was damaged by vandals.

December 5, 2009 - Moscow - Two identifiably Jewish Israelis were attacked outside a Moscow yeshiva. Both men were hospitalized.

December 1, 2009 - Moscow - A 25 year-old identifiably Jewish man was assaulted in the subway. The attacker, an alleged neo-Nazi, shouted "Heil!" and hit the victim, who suffered minor injuries. The police detained an individual, but charged him only with "minor hooliganism."

September 12, 2009 - Khabarovsk - Two Molotov cocktails were thrown at a synagogue. Four skinheads, aged 15 to 23, were arrested and charged with arson. The home of a police officer who investigates racist crimes was also firebombed the same night.

July 16, 2009 - Komi Republic - A rock was thrown through the window of the Syktyvkar Jewish community center. It was the second time this year that unknown vandals had attacked the building.

July 12, 2009 – Ryazan – Unknown vandals painted swastikas on the doors of a Jewish community center.

June 19, 2009 – Abakan – A swastika was spray-painted on the entrance doors of a Jewish community center.

May 14, 2009 - Nizhny Novgorod - Fourteen Jewish graves were desecrated in Nizhny Novgorod in early May. The Marina Roscha cemetery had been the target of vandals on several previous occasions.

May 12, 2009 - Pskov - Swastikas were painted on the door of the Jewish social service center, “Chesed Itzhak.”

May 7, 2009 - Norilsk - A monument to Jewish victims of Stalin’s repression was spray-painted with crossed-out Stars of David and anti-Semitic epithets.

March 30, 2009 - Sebezh - A Jewish cemetery was desecrated. The perpetrators burned wreaths and damaged 18 tombstones.

March 11, 2009 - Petrozavodsk - A Holocaust memorial in a Jewish cemetery was vandalized.

February 17, 2009 - Yaroslavl - Rocks were thrown through the windows of a synagogue. No one was injured.

Serbia

July 6, 2009 – Vrsac – Anti-Semitic graffiti containing the phrase ‘EU and NATO are diabolic Jews’ was spray-painted on the walls of a building.

June 1, 2009 - Subotica - Eleven gravestones in a Jewish cemetery were destroyed.

Slovenia

January 18, 2009 - Maribor - A Jewish community center and historic former synagogue was vandalized with slogans, including “Judem Raus” (“Jews get out”) and “Gaza.”

Spain

February 1, 2010 - Madrid – A young Hasidic Jew was stopped on the street in the center of Madrid by a woman who slapped him and repeatedly hurled insults, including “Dirty Jew,” “You Jews are responsible for all the evil in the world,” and “You Jews are thieves.” Bystanders called the police, who arrived while the woman was still there and are investigating.

January 30, 2009 – Barcelona – A man with a baseball bat repeatedly struck the nameplate of a synagogue. When an employee of the synagogue approached the man, he was hit in the arm and head. Passersby alerted the police, and the attacker was arrested. The synagogue employee required hospitalization for a fractured arm and head contusions.

January 12, 2009 - Barcelona - The windows of the Chabad house in Barcelona were broken and “assassins” was spray-painted on the building.

Sweden

March 14, 2010 – Stockholm – Rocks were thrown at the Jewish community center, breaking a window.

January 13, 2009 - Malmö - Vandals threw Molotov cocktails at the burial chapel of a Jewish cemetery. The synagogue was slightly damaged.

January 5, 2009 - Helsingborg - A Molotov cocktail was thrown at the synagogue. No damage was reported.

January 5, 2009 - Helsingfors - A Molotov cocktail was thrown into the synagogue.

January 4, 2009 - Malmo - Arsonists attempted to burn down a Jewish burial chapel. The structure suffered minor damage from soot and smoke.

Switzerland

January 11-12, 2009 - Geneva - Windows were broken overnight at a kolel, a Jewish study center.

January 11, 2009 - Zurich - Graffiti comparing the Star of David to a swastika was sprayed on walls of a restaurant on the outskirts of the city.

January 3, 2009 - Bern - Anti-Israel protesters carried signs equating Israel with Nazi Germany.

Turkey

January 6, 2009 - Ankara - An Israeli basketball team fled from the court into the dressing room, because the crowd became threatening, calling them "killers" and shouting "death to Jews."

United Kingdom

October 11, 2009 - Manchester - Two men shouted racist slurs and punched a 16-year-old teenager as he was walking home from synagogue with his mother and sister.

January 19, 2009 - London - A 31-year-old Jewish man was beaten by several men who shouted "for Gaza" as they attacked him, leaving him with a black eye and several bruises.

January 3, 2009 - London - Assailants tried to burn a synagogue in the Brondesbury section of London.

Ukraine

December 9, 2009 - Kaments-Polsky - Vandals threw rocks left to honor the deceased at a Holocaust memorial, damaging the structure. Four youths were arrested in connection with the attack and charged with desecrating gravestones.

October 26, 2009 - Nikolacv - Vandals splattered black paint on the monument marking the home where Lubavitch Rebbe Menachem Schneerson was born. It was the second time vandals struck at the site this year.

September 13, 2009 - Kyiv - The front door of the Hebrew Immigrant Aid Society (HIAS) offices was defaced with Nazi symbols. Responding to suspicious noises in front of the building, a guard saw three young men leaving the area.

August 30, 2009 - Melitopol - Vandals painted swastikas and anti-Semitic slogans on the main entrance of a Jewish charity's building in southern Ukraine. Similar graffiti appeared in nearby towns. During World War II, Melitopol was in the part of Ukraine that fought against Nazi invasion.

June 11, 2009 - Kremenchug - Four unknown vandals threw cans of brown paint on walls of a synagogue.

April 17, 2009 - Voskresensk - Vandals defiled a Holocaust memorial. Swastikas and anti-Semitic graffiti, including "Death to Jews" in German and Russian, were painted on the monument.

February 26, 2009 - Nikolayev - A monument that honors the late Lubavitcher Rebbe was vandalized. The granite plaque was damaged apparently with hammers, and the perpetrators also attached xenophobic fliers to the memorial.

February 2, 2009 - Lutzk - A homemade bomb, consisting of a large bottle with white powder and a timer, was discovered in the basement of a synagogue. The staff was evacuated and the explosive device was successfully neutralized by the police.

Uruguay

January 13, 2009 - Montevideo - The facade of the the headquarters of the Israelite Association Jaime Zhitlovsky, located in the neighborhood of Palermo, Montevideo, was firebombed with Molotov cocktails. The cultural center building sustained only slight damage, and no one was injured.

Venezuela

June 17, 2009 - Caracas - During a demonstration by a group loyal to the Chavez regime, the residence of the governor of the State of Miranda, Henrique Capriles Radonsky, whose grandparents were Jewish, was vandalized with swastikas and other graffiti calling him a Nazi. The demonstrators, who were led by the mayor of the municipality of Guaicupuro, all wore red shirts with the symbol of the national oil company PDVSA and were believed to be municipal employees.

June 16, 2009 - Caracas - A group of alleged students from a government-run university spray painted anti-Semitic graffiti on the walls surrounding the Tiferet Israel Synagogue, the site of an anti-Semitic attack four months earlier. The graffiti included Stars of David equated with swastikas, "Get out of our Country Zionists", "The crisis should be paid by you Zionist Assassins" and other anti-Jewish epithets.

January 30, 2009 - Caracas - About 15 armed men overpowered and tied up a security guard and forced their way into a synagogue, defacing its administrative offices with anti-Semitic graffiti and throwing Torah scrolls to the ground in a rampage that lasted nearly five hours. Graffiti left at the scene included the phrases "Damn the Jews, "Jews out" and "Israel assassins" and a picture of a devil. More

Mr. CARNAHAN. Thank you, Mr. Jacobson. Appreciate your being here and your remarks.

Next I want to go to Rabbi Andrew Baker. We will recognize you for 5 minutes.

STATEMENT OF RABBI ANDREW BAKER, DIRECTOR OF INTERNATIONAL JEWISH AFFAIRS, AMERICAN JEWISH COMMITTEE

Rabbi BAKER. Thank you. Thank you, Mr. Chairman. Again you have my full testimony for the record, and I am going to try to summarize what I had prepared in an abbreviated form.

I think for all of us if we look back on this decade it is evident that we were overly optimistic in thinking so many issues, domestic and international, would be resolved, so perhaps we, while can be troubled, should not be surprised that anti-Semitism is one of those issues.

We can recall the U.N. Conference in Durban in 2001, which was really intended to fight racism but became a venue for a new anti-Semitism, an attack on Jewish targets. The breakdown of the Middle East peace process shortly thereafter triggered unprecedented attacks on Jewish targets in much of Western Europe. Many Eastern European countries eager to gain membership in NATO were focused for a time on addressing unfinished issues related to the Holocaust, Holocaust history, dealing with anti-Semitism, property restitution. But most of those efforts were incomplete and still remain with some distance to go.

We have seen the persistence of ultra nationalist parties in Europe, the old ones in France and Austria, for example, and new ones which have been formed in Bulgaria, only last week in the elections in Hungary. Many of these parties have a more broad anti-Roma xenophobic agenda, but they all link together with anti-Semitism as a theme running as well.

We know of this, it has already been addressed by several speakers that anti-Israel animus that really has become a new form of anti-Semitism when it crosses over literally to the kind of eliminationist talk of Israel, holding it up to standards no other country is expected, et cetera.

What I wanted to do here was to reflect at least in some areas based on my work at AJC, but also as the personal representative of the OSCE chair. I would say to begin with that the essential element of the problem in many countries is the increasingly normative presence of anti-Semitism in public discourse, in press, media, on the Internet, and at public gatherings. It is pernicious in its own right, but it also represents or can represent serious security questions for Jews and Jewish institutions.

Many European countries have various laws that restrict hate speech. Usually the difficulty is not necessarily in the legislation itself, but it is in the difficulty of actually enforcing and operating with these laws. I have enumerated in my written testimony specific examples, but in many cases what you have are laws that are only infrequently enforced. You often have months, even years passing, before a charge that has been brought reaches some conclusion.

In countries such as our own which have very absolute free speech protections, we have devised other ways to confront this hate speech. We are accustomed to seeing political figures, civic leaders speaking out quickly and forcefully. That, in any case, is what we would ask. But in many of these countries we will find political leaders saying, "It is in the hands of the prosecutor, we can't speak." In some case it is really a way to let them off the hook, and they are looking for a way to be let off the hook. In other cases you will find, I think, in different countries political leaders calculating that being too strongly opposed to anti-Semitism may even cost them votes, so leaving that somewhat ambiguous literally plays to their political motives.

One of the concerns that has been identified by ODIHR in its most recent hate crime report is the need for monitoring, for recognizing these events when they take place. Governments have been urged to do it. Many are lax or incomplete in their collecting data or in collecting data that is sufficiently detailed to identify perpetrators and victims. As I mentioned, since much of anti-Semitism comes in the form of public discourse, sometimes that is the first area that is really not very well monitored and recorded.

Governments have made certain commitments within the OSCE process. They are not all living up to it. We need to push them to do it. We can also encourage and support Jewish communities in collecting their own information in a standardized way that can then become again a vehicle for reporting. What has happened too frequently is that events are not reported. If they are not reported, political leaders say we don't have a problem. We know differently.

Finally, in a general overview, the importance of defining anti-Semitism cannot be underestimated. The European Monitoring Center, which is an EU agency, 6 years ago conducted its first survey, its first analysis of anti-Semitism in the EU then of 17 countries. Over half the monitors of those countries had no definition at all. Of those that did no two were the same, and as a result pushing them and working with them they developed a "working definition" of anti-Semitism. It is an official definition now of the EU Fundamental Rights Agency.

The full definition is appended to my report, but it is important to note that it gives a clear overview of what anti-Semitism is and it has a very specific area focusing on where that anti-Israel animus itself becomes a form of anti-Semitism. There are other definitions that may be similar but I think it is very important for us to focus here because essentially here, at least now for 27 countries in the EU this is their definition, and I think we want them to live up to it. It has been undertaken for use by ODIHR and its police training, so here we have it being disseminated to 56 countries.

In conclusion, I can recall, and I know that Congressman Smith was with us in Berlin at the time of the OSCE conference in 2004, and in the issuing of the Berlin Declaration that at the time 55 countries ascribed to. Among that declaration's statements, I want to point out that these countries said, and I quote, "International developments or political issues, including those in Israel or elsewhere in the Middle East, never justify anti-Semitism." A terrific declaration.

Sadly, I think we see it is still the problem, not necessarily that it justifies it in the eyes of political leaders, but it often triggers it, and it is often used as an excuse for it. So here I think we need to keep our focus and focus on those governments to live up to the declaration that they ascribed to 6 years ago.

The OSCE does remain an important international venue to get at this issue when you think and put it in contrast to what happened in Durban at that U.N. conference. We have had very serious discussions within the OSCE, and in commitments that governments have made. It only has happened because here in Congress there has been the impetus, pushing at times an administration that may be reluctant because of that OSCE consensus-based decisionmaking process, but it has succeeded.

The current chair-in-office, Kazakhstan, has indicated it will hold a high-level conference at the end of June. I think it is very important that the U.S. is represented at a high level. All of us at the table here are trying to encourage the administration to do so. We hope you can play an equally strong role in pushing for this.

I would add one other element within the OSCE. Every year there is a Mediterranean seminar linking those six Mediterranean partners with the OSCE, and I believe it is an opportunity with enough time given to it and with energizing our own representation in Vienna that at that gathering it should be possible to address these issues, the issue of anti-Semitism and other tolerance-related issues with those partners. As we know, as we have seen, some of those partner countries—Egypt, Tunisia, Algeria—have become a source of anti-Semitism exported to immigrant communities in Europe proper. So with effective planning I think we can make that an important venue as well.

In closing, I think one always has to say, and I thank the members here, that your ability to raise this issue when you receive leaders of foreign governments who come to Washington or when you travel abroad is perhaps the most significant effort that the U.S. Government plays. As long as political leaders in these countries know that here on Capitol Hill, that here in Washington this issue matters, then it gets their attention and they will at least begin to address it. I think without this help we truly would be lost.

So again let me thank you. We at AJC, whatever efforts and resources we have at OSCE in my role are ready to assist you or offer any information or material that would be helpful. Thank you, Mr. Chair.

[The prepared statement of Rabbi Baker follows:]

**Rabbi Andrew Baker
AJC Director of International Jewish Affairs
Personal Representative of the OSCE Chair-in-Office
On Combating Anti-Semitism**

**Presentation to
Committee on Foreign Affairs
Subcommittee on International Organizations, Human Rights and Oversight
U.S. House of Representatives
April 14, 2010**

I want to commend the House Foreign Affairs Committee for holding this hearing and for giving me the opportunity to testify today.

Introduction

Looking back at the beginning of this decade, it is evident that we were far too optimistic in believing that many problems—both international and domestic—were about to be resolved, only to see them resurface with a new intensity. Thus it should come as no surprise that anti-Semitism was among them.

The UN Conference on Racism in Durban, South Africa in 2001 served to foment anti-Semitism rather than combat it, and it renewed the Zionism is racism canard.

The breakdown of the Middle East peace process triggered unprecedented attacks on Jewish targets in France, Belgium, the Netherlands and other Western European countries.

Eastern European countries which had been pressed to deal with Holocaust-era issues during their bid for NATO membership now found those same issues—Jewish property restitution and Holocaust education and commemoration—sparking a populist, anti-Semitic backlash.

Ultrarationalist parties in Europe, both old (France and Austria) and new (Hungary and Bulgaria), which fold anti-Semitism into a larger racist and xenophobic agenda are enjoying significant support, while pulling mainstream parties further to the right.

A virulent anti-Israel animus, which frequently crosses over into a “new” form of anti-Semitism, is increasingly manifest in settings as diverse as the UN Human Rights Council in Geneva and student forums at the University of California.

In the time allotted me, I shall try to review some of these concerns and the initiatives intended to address them, drawing on my work at the American Jewish Committee and in my current role as the Personal Representative of the OSCE Chair-in-Office on Combating Anti-Semitism.

Anti-Semitism in Public Discourse

An essential element of the problem in many countries is the increasingly normative presence of anti-Semitism in public discourse. It is offensive and pernicious in its own right, but it can also contribute to a climate which poses a security threat to Jews and Jewish institutions. The capacity to counter this anti-Semitism is frequently lacking.

Many European countries have laws which restrict or punish hate speech. They are intended to address incitement to racial or religious hatred which may appear in public speeches, in books, newspapers and other media, and on the Internet. This includes fomenting anti-Semitism and, in some cases, Holocaust denial. Rarely is the problem the legislation itself, but rather it is the infrequent and often unsuccessful record of employing it.

By way of example and drawing from some of my OSCE country visits and other personal experience,

- In Spain there have been only two successful cases of prosecuting Holocaust denial in the last twenty years, and both of them took over seven years to adjudicate. In a country where the Jewish population is less than one one-hundredth of one percent the society is likely to know Jews only from their depictions in the press and media. As it is generally accepted that the Spanish media frequently depicts Israel in a negative light, some officials have suggested that this contributes to the population's low opinion of Jews.
- In Lithuania in 2004, the General Prosecutor opened a case against the publisher, Vitas Tomkus, after his newspaper ran a series of articles entitled "Who Rules the World?" loosely based on the *Protocols of the Elders of Zion* and illustrated with Nazi-like cartoons. Political leaders, although privately disgusted with the articles, remained publicly silent as the months-long investigation proceeded. A year later, when the case came to trial Mr. Tomkus was found guilty. But he was not required to appear in court and the \$1,000 fine had little deterrent value to this multi-millionaire publisher. Such articles still appear regularly in his newspapers.
- Last year the Jewish Community of Greece appealed to a 1979 hate speech law in its case against the author Kostas Plevris, who wrote that the Holocaust is a "profit making myth" invented by the Jews. He was initially found guilty, in the first successful use of this law, but the decision was reversed on appeal. The court may have been concerned about the free speech implications of the initial verdict, but its actions also emboldened this anti-Semite.
- In September I sat in the Jewish Community offices in Bucharest while the President of the Jewish Federation described the personal attacks on him in the newspaper of the right-wing Greater Romania Party. Nearly two years passed since he had filed suit, but so far the public prosecutor had not responded. (Ironically, on my first visit to Romania in 1993, I sat in the same room and heard the late Rabbi Moses Rosen describe similar personal attacks on him from the very same newspaper.) I met later with the Justice Minister/Foreign Minister Catalin Predoiu during this visit, who readily acknowledged the lack of clarity in the law and its limited effectiveness. To his credit the Minister used the occasion of my visit to issue a statement stressing the moral obligation of public officials to speak out against acts of anti-Semitism.
- We also witnessed a similar example of this problem in Sweden last year, when the newspaper *Aftonbladet* published a report from Gaza claiming that Israeli soldiers were harvesting organs from Palestinians they had killed. This updated version of the medieval blood libel charge was openly denounced by political leaders in the United States and in some European capitals. However, the Swedish Foreign Ministry maintained that its press freedom laws did not permit its own public officials to criticize the article, and it rebuked its Ambassador to Israel for doing so. It did indicate that an official ombudsman had the authority to investigate and bring charges if it was determined that racial incitement laws were violated. He quickly decided that they were not.
- The Internet is often cited as an unchecked source for all manner of hate speech including anti-Semitism. Even those countries with some experience at reining in extremist material in

traditional media admit to difficulties when it comes to this source. But it is not only impressionable young people—the most frequently cited target—who are affected by it. Three years ago the Government of Latvia and its Jewish Community reached an agreement on legislation that would resolve all outstanding property restitution claims. But by the time the bill reached Parliament, opposition to the legislation—much of it spread via the Internet and anti-Semitic in nature—so unnerved its Members that it failed to pass. During my visit to Riga Latvian authorities conceded that whenever the subject of Jewish property restitution is raised in public they anticipate a spike in anti-Semitism.

We can certainly reach some general conclusions from these examples.

Put simply, many hate speech laws have the unintended consequence of letting political leaders off the hook. In the United States and other countries with strong free speech protections manifestations of racism, anti-Semitism, and other extremist views in public discourse are generally addressed (or can only be addressed) by strong and swift rebukes from political and civic leaders. In this way such hateful speech is marginalized and isolated. But in countries with legislative remedies some political leaders will refer to the legal process as a reason or excuse not to speak out. As we see in practice those legal decisions are generally months or years away. In the meantime, there is no clear message being delivered that such hateful speech is unacceptable. Consider too that even some decent, mainstream political leaders, fearing the success of extremist movements, see calculated benefits in maintaining an ambiguous stance.

In nearly all places anti-Semitic speech is understood to be included within the larger categories of inciting racial, ethnic or religious hatred. But virtually no penal code includes a specific or detailed description of anti-Semitism, which means it is not always recognized by prosecutors or judges or (as witnessed in Sweden) by official ombudsmen.

Where they do exist, Holocaust denial laws are not uniform. In some places denial alone is illegal; while other countries require proof that the denial of the Holocaust is part of an intentional effort to inflict pain on survivors or members of the Jewish community. As a result prosecution under such a law can also vary widely.

Monitoring Anti-Semitism

Accurate and recognized monitoring of anti-Semitic incidents is frequently lacking or incomplete. The most recent Hate Crime Report of the Office of Democratic Institutions and Human Rights (ODIHR) reveals that many governments are still lax in monitoring and recording hate crime data or in disaggregating the data they do have so as to better understand who are the perpetrators and the victims. But the problem is especially acute when the goal is to combat anti-Semitism.

Physical attacks on persons or the vandalizing of synagogues and cemeteries may be monitored (although with all the same gaps and limitations of hate crimes more generally), but many countries frequently ignore the anti-Semitism that appears in the press, on television, at public demonstrations, on the Internet and in anonymous hate mail. When these anti-Semitic incidents are not recorded or are underreported it conveys the misimpression to political leaders and policy makers that the problem itself is not so important.

Governments must be encouraged to do a better job of monitoring and recording anti-Semitism, and we should continue to do everything to urge them to live up to their commitments. But in the interim we can do more to assist local Jewish leadership in various countries or regions to develop their own monitoring

centers and to do so in a standardized and internationally recognized way so that public authorities can accept their results.

A Working Definition of Anti-Semitism

In 2004, when the European Monitoring Center (EUMC) conducted its first study of anti-Semitism in the then 17-member European Union, it recognized the need for an operative and common definition of the phenomenon. At the time more than half of its national monitors had no definition at all, and of those that did no two were alike. In light of this the EUMC, now the EU Fundamental Rights Agency, developed a working definition, which has been adopted by the ODIHR, by the US State Department Special Envoy for Combating Anti-Semitism, and by Parliamentary Committees in Germany and the UK, among others. This definition (a copy of which is appended to this testimony) provides an overall framework for understanding what it is and offers a series of examples designed to aid police, monitors and NGOs in their work.

This definition is especially noteworthy in that it also describes where animosity toward the State of Israel can become a form of anti-Semitism. It offers clear examples of this, such as where Israel is described as a racist state, where comparisons are made with Nazism, and where Jews are held collectively responsible for the actions of Israel.

In some countries the working definition is part of police training programs, as it is in ODIHR's Law Enforcement Officers Program (LEOP) manual, which trains police to respond to hate crimes. In nearly all meetings during my country visits I shared the definition with government officials, who welcomed it. Those of us who are focused on the problem may not fully realize that a lack of understanding on the part of these officials is not uncommon. While physical attacks on identifiable Jewish targets may be easily recognized as anti-Semitic in nature, certain public discourse or the vilification of the Jewish State may not be so readily identified. Therefore, increasing the circulation of this working definition is a useful tool that can be promoted.

Conclusions and Recommendations

In April 2004, the Member States of the OSCE meeting in Berlin adopted a declaration that stated in part, "...international developments or political issues, including those in Israel or elsewhere in the Middle East, never justify anti-Semitism." Governments expressed their commitment to combat anti-Semitism through legislation and monitoring and through a variety of educational programs. ODIHR, the programmatic arm of the OSCE, was tasked with following-up on these government commitments as well as developing its own educational and police training projects.

This declaration and the high-level Berlin Conference which issued it can be traced back here, to Capitol Hill. It was the direct result of you and your colleagues taking up the issue in meetings with foreign leaders and pressing the Administration to engage with the OSCE, despite its difficult consensus based decision-making process. It led to a decision to hold a first (and no doubt some governments thought "last") conference on anti-Semitism in 2003, which in turn spawned the series of conferences, commitments and programs we now witness.

The OSCE remains an important international venue to address the problem of anti-Semitism. At the end of June the current OSCE Chair, Kazakhstan, will host the first high level conference in three years that will focus on anti-Semitism as well as other forms of intolerance, and the US should be fully engaged and seriously represented. The annual OSCE Mediterranean Seminar in the fall, which joins its members with the six Mediterranean partner states (Israel, Egypt, Jordan, Tunisia, Algeria and Morocco), can provide an

opportunity to examine and address the spread of anti-Semitic materials in parts of the Arab world, but the US will need to be actively involved in the planning work carried out in Vienna to make it so.

I am pleased that today's hearing also included testimony from Hannah Rosenthal, the newly-appointed Special Envoy to Monitor and Combat Anti-Semitism in the State Department. I know she has already taken up her work with vigor and commitment. While this includes visits to foreign capitals to address specific problems, it is equally important that the subject be "mainstreamed" within US diplomacy. When the Secretary of State or other senior officials or respected ambassadors take up the issue in bilateral discussions it has an impact.

And of course (and in closing) when Members of Congress receive foreign leaders here or meet with them during travel abroad there is a unique opportunity to remind them of the importance to remain continually vigilant, to speak out, and to do all within their power to confront and combat anti-Semitism. I and my colleagues at AJC will always be available to you and your staff to provide information and analysis for whatever meetings you may have.

Again, thank you for this opportunity to address you today.

APPENDED:

A WORKING DEFINITION OF ANTISEMITISM

(Adopted by the EUMC January 28, 2005)

The purpose of this document is to provide a practical guide for identifying incidents, collecting data, and supporting the implementation and enforcement of legislation dealing with antisemitism.

Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews.

Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.

In addition, such manifestations could also target the state of Israel, conceived as a Jewish collectivity.

Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for "why things go wrong." It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.

Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.

- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.

Examples of the ways in which antisemitism manifests itself with regard to the State of Israel taking into account the overall context could include:

- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor.
- Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the State of Israel.

However, criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic.

Antisemitic acts are criminal when they are so defined by law (for example, denial of the Holocaust or distribution of antisemitic materials in some countries). Criminal acts are antisemitic when the targets of attacks, whether they are people or property—such as buildings, schools, places of worship and cemeteries—are selected because they are, or are perceived to be, Jewish or linked to Jews. Antisemitic discrimination is the denial to Jews of opportunities or services available to others and is illegal in many countries.

Mr. CARNAHAN. Thank you, Rabbi Baker, and last we want to turn to Ms. Massimino.

**STATEMENT OF MS. ELISA MASSIMINO, PRESIDENT AND
CHIEF EXECUTIVE OFFICER, HUMAN RIGHTS FIRST**

Ms. MASSIMINO. Thank you, Mr. Chairman, and thank you all for your leadership and attention to these issues. I want to say a special thank you to Congressman Smith with whom we have worked so closely on this issue and many other human rights issues over many years.

Combating anti-Semitism has been a priority for Human Rights First for a long time. In 2002, we started monitoring the rise in violent acts motivated by anti-Semitism and to press for stronger government action to combat them, and since that time we have issued a number of reports on the subject, which I have with me and can share with you.

Our focus and the focus of my statement and our testimony has been on anti-Semitic hate crime in Europe and North America, specifically on the 56 countries of the OSCE. We have long maintained that anti-Semitic violence, along with other hate crime, must be viewed and responded to as a serious violation of human rights. Likewise, we believe it is important that these violations be challenged, not just by victims groups or those who represent communities of targeted individuals, but by all who seek to advance universal rights and freedoms.

I would like to make three quick points today, and ask that the rest of my written testimony be included in the record.

First, anti-Semitism is a unique and potent form of racism and religious intolerance, and the extent of violence motivated by anti-Jewish animus throughout much of the OSCE region remains alarming. Second, with few exceptions, government responses to this rising tide of violence has been woefully inadequate; and finally, other forms of violent hate crime motivated by race, religion, national origin, sexual orientation, and other similar factors have also been on the rise in many countries, and governments and non-governmental actors should be developing comprehensive strategies to combat it.

In Europe and North America, anti-Semitism violence remains at high levels following a significant increase beginning in the year 2000. Indeed, violence in some countries is several times higher than it was at the end of the 1990s. Anti-Semitism, like other forms of racism, is an obstacle to participation in public life fully and free of fear. Violent incidents have involved individuals who are identified as Jewish by their religious dress or appearance when traveling on public transport or walking in the street, and in many instances Jews have been targeted while going to and from their places of worship or schools.

The translation of sentiment against Israel or the policies of its government into anti-Jewish antipathy has since 2000 generated new patterns of anti-Semitism violence that has fluctuated in relation to events in the Middle East. This new anti-Semitism combines the ancient route in forms of anti-Semitism with new political elements, and appear to be related to periodic surges in the tax.

But the Middle East is only a part of today's anti-Semitism. Contemporary anti-Semitism is multifaceted and deeply rooted. It cannot be viewed solely as a transitory side effect of the conflict in the Middle East. Anti-Semitic incitement and violence predate the Middle East conflict and continue to be based in large part on century's old hatred and prejudice.

The branding of Jews as scapegoats for both ancient and modern ills remains a powerful underlying factor in the anti-Semitism hatred and violence that continues to manifest itself today. Less than a year ago we received a grim reminder of the potency of this hatred just blocks from where we now sit when a self-avowed white supremacist and anti-semiter gunned down a security guard at the entrance to our Holocaust Museum.

Human Rights First advocated a comprehensive program of action, our 10-point plan which is included at the end of my written testimony for governments to combat anti-Semitism and other hate crimes. We have seen some limited progress over the last several years. For example, in public recognition of the problem, in monitoring and reporting, in enactment of hate crime laws, and in law enforcement. But high levels of anti-Semitism violence persist and the political will to address them is still lacking in many countries.

In our first report on this problem in 2002, we identified a serious data deficit on anti-Semitism offenses with most governments failing even to monitor and report on, let alone prosecute these crimes. Almost 10 years later most European governments still fall short of their commitments to monitor anti-Semitism offenses, which we think is an essential building block for a comprehensive response to the problem.

While the threats facing the Jewish community today are deeply rooted and uniquely potent, they are also part of a rising tide of hate-motivated violence across Europe. We have reported an increase since 2005 in hate-motivated violence in many parts of Europe and North America perpetrated against members of a range of communities because of their ethnicity, religion, sexual orientation, immigrant status or other similar factors. The shared nature of the problem of hate-motivated violence underscores for us the need for governments to adopt comprehensive approaches to the full range of this violence. Likewise, in the nongovernmental sphere the shared nature of the problem calls for a coordinated response.

The promise of work toward a shared solutions is perhaps best illustrated by the cross community cooperation that has emerged in recent years among civil society groups here in the United States and abroad. Here at home the Leadership Conference on Civil and Human Rights, of which Human Rights First is a member, is a good example of this unified effort. Working together with other leadership conference members, including the Anti-Defamation League, has enormously strengthened our capacity to raise awareness in the U.S. and internationally of the threat posed by anti-Semitic and other hate crimes, and to work with governments and regional and multilateral institutions for change. But, unfortunately, this type of cooperation is rare in the communities that are often working in isolation from each other.

I have a number of recommendations in my written statement that are addressed at the United States Government, the Congress, the Executive Branch, multilateral institutions, and I would echo the recommendations of my colleagues on this panel with respect to the need for leadership by the United States in pressing the state of the OSCE, in particular, but all nations to live up to the commitments that they have already made to work against anti-Semitism and anti-Semitic hate violence and all forms of hate crimes.

Thank you.

[The prepared statement of Ms. Massimino follows:]



TESTIMONY OF ELISA MASSIMINO

**PRESIDENT AND CHIEF EXECUTIVE OFFICER
HUMAN RIGHTS FIRST**

Hearing on

“COMBATING ANTISEMITISM: PROTECTING HUMAN RIGHTS”

**UNITED STATES HOUSE COMMITTEE ON FOREIGN AFFAIRS,
SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS,
HUMAN RIGHTS, AND OVERSIGHT**

April 14, 2010

HEADQUARTERS

333 Seventh Avenue
13th Floor
New York, NY 10001
Tel: 212.845.5300
Fax: 212.845.5299

WASHINGTON D.C. OFFICE

100 Maryland Avenue, N.E.
Suite 500
Washington, DC 20002
Tel: 202.547.5692
Fax: 202.543.6699

www.humanrightsfirst.org

INTRODUCTION

Chairman Carnahan and Members of the Subcommittee, thank you for convening this hearing to examine antisemitism as a human rights concern. I appreciate the opportunity to be here this afternoon to share Human Rights First's findings and recommendations on this important matter and to discuss ways that we can work together with you to advance human rights protections. We are grateful to the Subcommittee for the important role it plays in keeping key human rights issues front and center in the Congress, and we look forward to continuing to work with you to assist in these efforts.

Human Rights First (HRF) has been working since 2002 to both monitor antisemitic violence and press for stronger government action to combat it. Our advocacy has been based on documentation of the problem in regular reports:

- Fire and Broken Glass: The Rise of Antisemitism in Europe (2002);
- Antisemitism in Europe (2004);
- Everyday Fears: A Survey of Violent Hate Crimes in Europe and North America (2005);
- 2007 Hate Crime Survey: Antisemitism (2007);
- 2008 Hate Crime Survey: Antisemitic Violence (2008).

Our focus has been—and the focus of my testimony today will be—on the rise of antisemitic violence in many parts of Europe, North America, and the former Soviet Union (countries that comprise the Organization for Security and Cooperation in Europe (OSCE)) and on practical steps that governments and others can take to more effectively combat this problem.

Human Rights First has long maintained that antisemitic violence, as well as other forms of hate crime, must be viewed and responded to as a serious violation of human rights and that governments can and must do more to confront these abuses. Likewise, we believe it is important that these violations be challenged, not just by victims' groups or those who represent communities of targeted individuals, but by all those who seek to advance universal rights and freedoms. Although some progress has been made in the last decade to draw greater attention to the issue—to a large extent in response to efforts led by the United States—high levels of antisemitic violence persist, and the political will to reverse that trend remains lacking in much of the OSCE region.

I would like to make three key points today.

- Antisemitism is a unique and potent form of racism and religious intolerance and the extent of violence motivated by anti-Jewish animus throughout much of the OSCE region remains alarming.
- With a few exceptions, governments have not responded adequately to this rising tide of violence, and there is an urgent need to adopt comprehensive strategies to combat it.

- Related forms of violent hate crime, motivated by race, religion, national origin, sexual orientation, and other similar factors, have been on the rise in many countries. Strategies for combating antisemitic violence are effective and necessary to confront these scourges as well.

Finally, Human Rights First has several recommendations to strengthen the leadership role that the United States has taken to combat antisemitism, along with other forms of bias motivated violence, working both bilaterally and multilaterally.

ANTISEMITIC VIOLENCE TODAY

Antisemitic violence in Europe and North America remains at high levels, following a significant increase beginning in 2000. Indeed, violence in some countries is several times higher than that of the end of the 1990s. Although the number of incidents in the last decade has fluctuated from year-to-year and from country-to-country, our findings show that, with alarming frequency, synagogues, Jewish homes, and Jewish-owned businesses have been targeted in arson attacks and subjected to widespread vandalism, and ordinary people have been harassed, beaten, stabbed, or shot because they were Jewish.

Antisemitism—like other forms of racism and religious intolerance—is an obstacle to participation in public life fully and free of fear. As such, it can take the form of an assault on identity itself. Violent incidents have involved individuals who are identified as Jewish by their religious dress or appearance when traveling on public transport or walking in the street. Some people have been targeted because of their leadership positions in the Jewish community. In many other incidents, Jews have been targeted while going to or from their place of worship or from schools. In others, attacks have targeted Jewish community institutions, from synagogues and community centers to secondary schools and kindergartens.

As we reported in *Everyday Fears*, in the face of the daily reality of harassment and risk of violence, some Jewish Europeans have acknowledged that they no longer openly wear pendants of the Jewish star; that yarmulkes are worn in public only under baseball caps or other concealing headgear; and that they think carefully before acknowledging their identity to strangers.

Among the representative incidents that we have documented, epithets and threats were shouted from passing cars, and Jews walking home from schools or synagogues were pelted with eggs, trash, or noxious liquids. Threatening graffiti was daubed on homes and shops. Windows were broken, sometimes with accompanying graffiti making clear that this was done because of hatred of Jews. Individuals faced everyday threats of physical violence, from pushing and shoving on the sidewalk to full scale assaults; from stone throwing to attacks with fists, clubs, knives, or guns.

Frequently, attacks have been directed at synagogues. These incidents ranged from graffiti and acts of desecration to gunfire and attacks with explosives and Molotov cocktails. The

realities of everyday violence were often exacerbated by periodic explosions of extraordinary violence, including murder.

The translation of sentiment against Israel or the policies of its government into anti-Jewish antipathy has since 2000 generated new patterns of antisemitic violence that have fluctuated in relation to events in the Middle East. In this “new” form of antisemitism, Jews around the world have increasingly been targeted for violence and vilification as if collectively responsible for wrongs attributed to the state of Israel. This new antisemitism combines the ancient roots and forms of antisemitism with new political elements, and may be largely responsible for both ongoing high levels of antisemitic violence and periodic surges in attacks.

Over the past decade, several principal “trigger events” in the Middle East were followed by sharp increases in attacks on Jewish institutions and on ordinary Jews living in Europe and North America. Most recently, Israeli military action in Gaza triggered a wave of backlash attacks against Jews in Europe and contributed to sharp rises in the number of incidents for the whole of 2009. For example, in the United Kingdom, the Community Security Trust’s incident reports for 2009 showed it to have been the worst year on record since monitoring began in 1984. Record numbers were also reported by B’nai Brith Canada, which overall noted a five-fold increase in antisemitic incidents over the past decade. The 2009 annual report by the French Jewish Community Protection Service (SPCJ) noted a 75 percent increase in antisemitic incidents in 2009 over the previous year.

Some examples from January 2009 show the virulence of antisemitic violence which swept Europe during that time, and underscore the potential for recurring surges of violence:

- In **Belgium**, attackers threw a firebomb into a Brussels synagogue; broke windows in another, in Charleroi; and attempted to burn down a Jewish family home in Antwerp.
- In **France**, attackers rammed a burning car into a synagogue’s gates in Toulouse; damaged kosher shops in Bordeaux; and threw Molotov cocktails at a community center in St. Denis, outside Paris, which houses a synagogue and a center for autistic children.
- In the **Netherlands**, attackers set a synagogue and a house alight in Amsterdam; and there was an attempted arson attack at a synagogue in Arnhem.
- In the **United Kingdom**, arsonists attacked a North West London synagogue; attackers dragged a man from his car and beat him; and vandals damaged Jewish property in numerous incidents.

The Middle East is, however, only part of today’s antisemitism. Contemporary antisemitism is multi-faceted and deeply rooted. It cannot be viewed solely as a transitory side-effect of the conflict in the Middle East. Antisemitic incitement and violence predate the Middle East conflict and continue to be based in large part on centuries-old hatred and prejudice. The branding of Jews as scapegoats for both ancient and modern ills remains a powerful

underlying factor in the antisemitic hatred and violence that continues to manifest itself today. Less than a year ago, we received a startling reminder of this old hatred when James von Brunn, a self-avowed white supremacist and antisemite, gunned down and killed a security guard at the entrance to the Holocaust Museum in Washington, DC. Prosecutors were pursuing hate crime charges when Mr. von Brunn died in January 2010.

This age-old antisemitic hatred is continuing to erupt into violence across the OSCE region. Just last month:

- Two 23-year-old women and a 25-year-old man were asked if they were Jewish and then beaten and insulted with antisemitic slurs on a subway train in Berlin, **Germany**;
- The home of a Chabad rabbi in Budapest, **Hungary**, was pelted with rocks as a number of people gathered there for the second Passover Seder;
- Holocaust memorials at a former Nazi concentration camp near Krakow, **Poland**, were desecrated with antisemitic graffiti and swastikas a day before a planned march marking the 67th anniversary of the liquidation of Krakow's ghetto.

Violent crime is antisemitism's sharp edge, but it is important to note that these crimes often occur in the context of virulent hate speech. In some countries, established political and religious leaders engage in persistent antisemitic discourse. This discourse often reflects longstanding antisemitic themes, attacking Jews through stereotypes, slanders, and scapegoating. In addition, Jews as a people are vilified in the context of attacks on Israel or Israeli policies. While criticism of Israeli government—or any government's—policies is certainly legitimate, criticism of Israel or the Zionist movement crosses the line to become antisemitism when it disparages or demonizes Jews as a people.

When hate speech involves direct and immediate threats of violence to particular individuals or institutions, governments must hold those responsible under criminal law. Short of this, the hate speech dimension of antisemitism still deserves our attention, in particular when public officials and community leaders are the ones responsible for statements advocating or inciting anti-Jewish hatred, which can contribute to a climate in which violence takes place. But confronting hate speech must not impinge on free expression. Indeed, when applied consistently and comprehensively, political and educational tools can be effective in responding to antisemitic and other forms of hate speech without restricting speech.

GOVERNMENT RESPONSES TO ANTISEMITIC VIOLENCE

Government authorities have an obligation under national legislation and international human rights law to respond to antisemitic, as well as other violent hate crimes. National governments must take proactive measures to deter and prosecute actions motivated by anti-Jewish hatred.

Human Rights First has advocated a comprehensive program of action for governments to combat antisemitic and other forms of bias-motivated violence (see HRF's attached 10-point plan). In response, we have seen some limited progress in the last several years. There has been some improvement in public recognition of the problem; in monitoring and reporting; in the enactment of effective hate crime laws; in law enforcement; and in the priority given the fight against antisemitism in public policy. But high levels of antisemitic violence persist and the political will to address them is still lacking in much of the region.

In our first report on the problem, in 2002, we pointed to a “data deficit” on antisemitic offenses, with most governments failing even to monitor and report upon these crimes. Almost ten years later, most European governments still fall short of their commitments to monitor antisemitic offenses—an essential building block for comprehensive responses to the problem. The failure of many governments to act in the areas of monitoring and reporting, legislation, and effective law enforcement also reflects a leadership shortfall: a reluctance to speak out and take a stand at the national and regional levels.

For example, in the area of data collection, only 14 of the 56 participating states of the OSCE are fulfilling their basic commitments to monitor hate crimes.¹ The others collect and publish either nothing at all or extremely limited information on the incidence of antisemitic or other hate crimes.

As concerns monitoring and reporting specifically on antisemitic hate crime, the European Union's Fundamental Rights Agency reports that only six (of 27) EU countries collect sufficiently robust criminal justice data on antisemitic hate crime to allow for trend analysis over time about the incidence of such crime.²

Likewise, while OSCE states have made political commitments to adopt and implement hate crime laws, including those addressing antisemitic violence, 22 OSCE countries still have no express provisions defining bias as an aggravating circumstance in the commission of violent crimes against persons.³ Even among countries that have adopted such laws, effective enforcement is often hindered by inadequate training among law enforcement and criminal justice officials and a lack of political will to ensure accountability.

¹ Austria, Belgium, Canada, the Czech Republic, Denmark, Germany, Finland, France, Ireland, Poland, Slovakia, Sweden, the United Kingdom, and the United States.

² Austria, France, Germany, the Netherlands, Sweden, and the United Kingdom.

³ Albania, Bosnia and Herzegovina, Bulgaria, Cyprus, Estonia, Germany, Holy See, Hungary, Iceland, Ireland, Luxembourg, Lithuania, Macedonia, Monaco, Montenegro, the Netherlands, Poland, San Marino, Serbia, Slovenia, Switzerland, and Turkey.

THE SHARED NATURE OF BIAS-MOTIVATED VIOLENCE

The threats facing the Jewish community today are deeply-rooted and uniquely potent, but also should be seen as part of a rising tide of hate-motivated violence across Europe. We have reported since 2005 that bias-motivated violence is increasing in the region, perpetrated against members of a range of communities because of their ethnicity, religion, sexual orientation, or other similar factors.

Many of the OSCE states experience levels of violent hate crimes that are a cause for concern. In these, violence motivated by racism and xenophobia, often exacerbated by religious bias, threatens communities distinguished by ethnic or national origin, including both national minorities and people of immigrant origin, citizens and noncitizens, longtime residents, and newcomers.

In addition to antisemitic violence:

- Roma and Sinti face violent hate crimes and a myriad of other forms of public and private discrimination throughout Europe. Violence is employed in many parts of Europe to cause immediate harm to Roma families and to physically expel Roma from towns and villages;
- Bias-motivated violence against Muslims has become increasingly pervasive and extreme in western and central Europe, taking the form of personal assaults on the streets and attacks on places of worship and on immigrant-run businesses.
- In the former Soviet Union in particular, violent expressions of religious hatred toward “nontraditional” religions—including Baptists, Catholics, and the Jehovah’s Witnesses—prevent entire communities from freely practicing their religions. Cemeteries, churches, and religious schools are subjected to vandalism and arson attacks. In some cases, official government policies create a hostile atmosphere that encourages private acts of violence motivated by religious hatred.
- Continuing violence based on sexual orientation and gender identity bias, though still largely unseen, is an intimidating day-to-day reality for lesbian, gay, bisexual, and transgender (LGBT) individuals, as well as others who are targeted because they do not conform to stereotypes of gender identity or simply advocate for LGBT rights.

The shared nature of the problem of bias-motivated violence underscores the need for governments to adopt comprehensive approaches to the full range of forms of hate crime. Strong government responses that show hate crimes will be prosecuted to the full extent of the law send an unequivocal signal that such incidents will not be tolerated by society. They also reassure members of communities under threat that their right to security is guaranteed and non-negotiable.

Likewise in the non-governmental sphere, the shared nature of the problem calls for a coordinated response. The promise of work towards common solutions is perhaps best illustrated by the cross-community cooperation that has emerged in recent years among civil

society groups, both in the United States and abroad. In the United States, the Leadership Conference on Civil and Human Rights, of which Human Rights First is a proud member, is perhaps the best expression of this unified effort. Working together has enormously strengthened our capacity to raise awareness both within the United States and internationally of the threat posed by antisemitic and other hate crimes and to work with governments for change. Unfortunately, this type of cooperation is sorely lacking in many countries where bias motivated violence persists, where government action to combat it has been weak, and where communities are working in isolation from one another.

THE ROLE OF INTERGOVERNMENTAL ORGANIZATIONS

Intergovernmental bodies have an important role to play in providing oversight of the fulfillment of state commitments to combat antisemitic and other hate crimes. They can also provide technical assistance to states and other nongovernmental actors to help them meet this challenge. The record of responses by intergovernmental bodies to antisemitism, however, has also been uneven.

The OSCE has led the field: adopting commitments on hate crime, establishing mechanisms to monitor implementation of those commitments, engaging in activities to raise political and public awareness, and developing programs to train police and civil society groups in dealing with hate crime. The OSCE's special programs to deal with antisemitism have led the way in its broader work to combat hate violence.

Most recently, in December 2009, foreign ministers of the 56 states of the OSCE adopted a special decision on hate crime. Governments made commitments to combat hate crime by enacting laws that acknowledge hate crimes as particularly serious crimes; establishing systems for the collection of reliable statistics on incidents, investigations, and prosecutions; training law enforcement and criminal justice officials; and conducting awareness raising campaigns. This is an important reaffirmation of past commitments and must be followed by effective action for implementation within the OSCE region.

Yet, many states are demonstrating a certain “fatigue” with OSCE commitments to combat hate crimes and antisemitism in particular. In order to ensure the important work of the OSCE continues, the United States needs to reinforce its political support for the implementation of commitments to combat antisemitism and other hate crimes.

THE UNITED STATES GOVERNMENT'S ROLE

The strong global role for the United States in combating antisemitism starts at home, where antisemitic and other hate crime remain a serious problem. Accordingly, Human Rights First welcomed the enactment of the Matthew Shepard and James Byrd, Jr. Hate Crime Prevention Act, which has given renewed vigor to the efforts to combat antisemitic and other bias-motivated violence in this country. The newly adopted legislation reaffirms the U.S.

government's commitment to developing a comprehensive response to domestic hate crime violence, and offers an opportunity for the United States to demonstrate leadership in both bilateral and multilateral efforts to combat the scourge of hate crime globally.

The United States has long been engaged in international efforts to confront antisemitism. In fact, two individuals testifying at this hearing—Hannah Rosenthal and Andrew Baker—hold mandates that reflect the importance that the United States has attached to this issue, and we welcome their commitment and the opportunity to work closely with them. The Global Antisemitism Review Act's establishment of a Special Envoy to Monitor and Combat Antisemitism is an important position through which to strengthen U.S. advocacy of policies to address the problem around the world. Similarly, the United States, including with the active involvement of the Commission for Security and Cooperation in Europe in particular, also played a leading role in the efforts to establish and subsequently support the OSCE Personal Representative on Combating Antisemitism in the OSCE region. Many aspects of the OSCE's work on this issue are models for other international structures, and the U.S. contributed substantial efforts to creating and sustaining that model.

Below we detail three principal ways in which the executive and legislative branches of the United States government can build on past success and advance a vigorous human rights response to antisemitic and other violent hate crime.

First, the United States should demonstrate international leadership in the OSCE by providing extrabudgetary contributions to specific initiatives to combat antisemitism and racism and by encouraging the implementation of commitments.

Second, the United States should advance efforts to combat antisemitism in bilateral relations by ensuring that the need to confront this problem is a part of regular discussions with other governments, and by offering technical assistance and other forms of cooperation, as appropriate.

Finally, the United States should positively contribute to the strength of civil society actors on the ground—a key factor in promoting a vigorous government response—by ensuring that human rights defenders advancing this cause in their countries have access to the funds and training resources they need to succeed.

Demonstrate International Leadership at the OSCE

- Encourage the implementation by participating states of tolerance and nondiscrimination commitments, including the recently adopted Decision No 9/09 on Combating Hate Crimes, in particular the commitments to collect hate crime data, to report that data to the Office for Democratic Institutions and Human Rights (OSCE/ODIHR), and to enact tailored legislation to combat hate crimes.
- Lead efforts to ensure the effective organization of the proposed Conference on Tolerance and Nondiscrimination in June 2010. The United States should work to ensure:
 - The adoption of an agenda that focuses on the states' implementation of their commitments to combat hate crime and other forms of intolerance, as well as best

practices for addressing these concerns. The agenda should include targeted discussions focusing on the unique problem of antisemitism.

- A high-level of participation from states by individuals directly involved in the implementation of tolerance and non-discrimination commitments, including those adopted in December 2009 to combat hate crime. High-level participation by U.S. officials from the Department of Justice and other relevant agencies would support this effort.
- The organization of a civil society preparatory meeting that would result in recommendations to be presented to the conference participants. This would require sufficient logistical support, including by ODIHR as appropriate, to ensure full participation by civil society organizations.
- An active role for civil society representatives in the conference itself.
- Providing for extrabudgetary contributions, secondment of personnel, and other in-kind support for OSCE programs to combat violent hate crimes, including by making available its law enforcement expertise.

Advocate in Bilateral Relationships and Offer Technical Assistance

Promote stronger government responses to antisemitic and other violent hate crime through U.S. human rights reporting as well as through bilateral relationships of the United States, by:

- Maintaining strong and inclusive State Department monitoring and public reporting on antisemitic, racist and xenophobic, anti-Muslim, homophobic, anti-Roma, and other bias-motivated violence. In doing so, the government should consult with civil society groups while providing appropriate training for human rights officers and other relevant mission staff abroad.
- Raising incidents of antisemitic violence with representatives of foreign governments and encouraging vigorous responses. Share concrete recommendations, such as those articulated in HRF's Ten-Point plan for combating hate crime (attached below).
- Offering appropriate technical assistance and other forms of cooperation, including training of police and prosecutors in investigating, recording, reporting, and prosecuting violent hate crimes as well as translation of Department of Justice and Federal Bureau of Investigation (FBI) materials on hate crimes. Moreover, the FBI's International Law Enforcement Academy should include a hate crime component in its training of law enforcement personnel in emerging democracies of Eastern Europe and the former Soviet Union.
- Organizing International Visitors Programs on combating bias-motivated violence for representatives of law enforcement, victim communities, human rights groups, and legal advocates.

Support Civil Society Organizations

Expand funding and other support to build the capacity of civil society groups in the OSCE region to combat antisemitic and other forms of violent hate crimes, by:

- Providing extrabudgetary support to expand OSCE's civil society training program on combating hate crimes.
- Ensuring that groups working to combat all forms of violent hate crime have access to support under existing U.S. funding programs, including the Human Rights and Democracy Fund and programs for human rights defenders.
- Congressional establishment of a long-term funding program at the State Department, USAID or an outside agency to provide financial support for civil society groups to monitor and report on violent hate crime, to advocate more effective laws and policies and stronger official responses to hate crime incidents, to provide services to victims, and to develop and implement programs to prevent and respond to hate crime.

Human Rights First's Ten-Point Plan for Combating Hate Crimes

- 1) **Acknowledge and condemn violent hate crimes whenever they occur.** Senior government leaders should send immediate, strong, public, and consistent messages that violent crimes which appear to be motivated by prejudice and intolerance will be investigated thoroughly and prosecuted to the full extent of the law.
- 2) **Enact laws that expressly address hate crimes.** Recognizing the particular harm caused by violent hate crimes, governments should enact laws that establish specific offenses or provide enhanced penalties for violent crimes committed because of the victim's race, religion, ethnicity, sexual orientation, gender, gender identity, mental and physical disabilities, or other similar status.
- 3) **Strengthen enforcement and prosecute offenders.** Governments should ensure that those responsible for hate crimes are held accountable under the law, that the enforcement of hate crime laws is a priority for the criminal justice system, and that the record of their enforcement is well documented and publicized.
- 4) **Provide adequate instructions and resources to law enforcement bodies.** Governments should ensure that police and investigators—as the first responders in cases of violent crime—are specifically instructed and have the necessary procedures, resources and training to identify, investigate and register bias motives before the courts, and that prosecutors have been trained to bring evidence of bias motivations and apply the legal measures required to prosecute hate crimes.
- 5) **Undertake parliamentary, interagency or other special inquiries into the problem of hate crimes.** Such public, official inquiries should encourage public debate, investigate ways to better respond to hate crimes, and seek creative ways to address the roots of intolerance and discrimination through education and other means.
- 6) **Monitor and report on hate crimes. Governments should maintain official systems of monitoring and public reporting to provide accurate data for informed policy decisions to combat violent hate crimes.** Such systems should include anonymous and disaggregated information on bias motivations and/or victim groups, and should monitor incidents and offenses, as well as prosecutions. Governments should consider establishing third party complaint procedures to encourage greater reporting of hate

crimes and conducting periodic hate crime victimization surveys to monitor underreporting by victims and under recording by police.

- 7) **Create and strengthen antidiscrimination bodies.** Official antidiscrimination and human rights bodies should have the authority to address hate crimes through monitoring, reporting, and assistance to victims.
- 8) **Reach out to community groups.** Governments should conduct outreach and education efforts to communities and civil society groups to reduce fear and assist victims, advance police-community relations, encourage improved reporting of hate crimes to the police and improve the quality of data collection by law enforcement bodies.
- 9) **Speak out against official intolerance and bigotry.** Freedom of speech allows considerable latitude for offensive and hateful speech, but public figures should be held to a higher standard. Members of parliament and local government leaders should be held politically accountable for bigoted words that encourage discrimination and violence and create a climate of fear for minorities.
- 10) **Encourage international cooperation on hate crimes.** Governments should support and strengthen the mandates of intergovernmental organizations that are addressing discrimination—like the Organization for Security and Cooperation in Europe, the European Commission against Racism and Intolerance, and the Fundamental Rights Agency—including by encouraging such organizations to raise the capacity of and train police, prosecutors, and judges, as well as other official bodies and civil society groups to combat violent hate crimes. Governments should also provide a detailed accounting on the incidence and nature of hate crimes to these bodies in accordance with relevant commitments.

Mr. CARNAHAN. Thank you, and we will want to jump right into some questions here, and I think I again want to start with Rabbi Cooper because I know you are close on time. Do you have a few minutes to take some questions before you leave?

Rabbi COOPER. Yes, please.

Mr. CARNAHAN. Looking back at the issue of the thousands of hate sites on the Internet, to what extent can the U.S. Government or other governments combat these kind of sites while balancing the freedom of speech issues? What are some of the strategies that you think can be effective in addressing the issue?

Rabbi COOPER. Well, I think we have a few things we can all agree upon. We don't want to assign on to rules or protocols written at the U.N. that would make Beijing or Havana happy. We want to make sure we protect our liberties, and also just from a practical technological point of view it is impossible to keep any idea off of the Internet. Just like we can't legislate hatred out of the real world, we won't be able to write protocols to remove it.

Having said that, the notion that the answer to "hate speech on line is more speech" doesn't wash. It is a different kind of technology. We can spend millions of dollars and some of us have here on brilliant Web sites but you have to bring the people to look at it, and those who are both the targets of attacks and the young people who are targeted to believe the hatred are not necessarily going to come to your site.

So on a practical basis how do we approach this? With democracies, we play it very simple. Whatever their rules of engagement are about where to limit speech, hate speech, we will cooperate with them, but that usually drives many of those Web sites to U.S. servers. That is really the bottom line, it has pretty much shredded in some ways the German anti-hate laws that they have had because you just go ahead and go offshore, if you will, to the United States.

Our approach here, first and foremost, is to urge the Internet providers to live up to their own rules. You know, Mr. Chairman, each of us pushes that little gray button when we get a new software that says, "I agree," I don't know if you have ever read what you agree with. I haven't either, but we have really researchers who have. We sign a contract when we push that button, and what we are saying, if the Internet is now a giant virtual mall, we want to make sure that the companies who provide that access don't give frontage property to the bigots and racists, and if they cross the line they should be thrown out.

Facebook has been brought up a lot here. They are in a unique position. They are now at 400 million separate users and climbing worldwide. They have, I think, the right business plan and the rules in place, and kind of overwhelmed simply by just—it is hard to even wrap your mind around the kind of stuff that is being presented.

I think that this committee does have a role. I believe if Congress will call in and convene another hearing, bring in the Internet community, bring back some of the—have a focus on the issue of human rights and the Internet, I believe, knowing quite a few of the players up in Silicon Valley, if they are given the opportunity to apply some of their collective genius to this problem and a little

bit of a bully pulpit from this august body, we will get a lot further than by waiting for some magical answer to come down from a U.N. agency in Geneva.

So, I think there is a lot to be done, and I think that having a constructive consortium of government, private industry, Internet users, and human rights NGOs could bring us to a better place.

Mr. CARNAHAN. Rabbi, it is a great idea, great food for thought, and I am going to yield to the ranking member who has got limited time as well.

Mr. ROHRBACHER. Thank you very much, and because we have been through this today when the Egyptian Ambassador arrives in my office in 10 minutes I will make sure I bring it up. All right.

A couple of idea and suggestions. First of all, in terms of the Internet of which we are talking about here, I think we do have to be very careful not to permit totalitarian governments to take advantage of systematic that we have set up in order to prevent this type of hatred from being used to suppress democratic movements, et cetera, and to cover their own misdeeds.

Perhaps there could be a labeling that would be agreed upon by all of the Internet providers that would be passed on by and judged by certain people to say that this—the following has been judged to be untruthful and based on hatred or something like that, some kind of big thumbs down, and then that might be an official approval or stamp of disapproval that might have an impact. That is number one, and it would be a way to counter them saying, well, that, of course, was discounted by blah-blah, you know, by whatever commission on truth and against hatred or whatever you want to call it. That is one idea.

And to counter—look, what we are talking about here is an increase in anti-Semitism throughout the world, and there are ways to counter it by doing what I just suggested, or there are ways to be proactive in basically undermining basic concepts of anti-Semitism. One of the things that I have worked on and spent a lot of time working in my office with Representative Paul Brown who has a bill, H.R. 1175, in which I am basically the co-author of it, although I am the co-sponsor I am actually the co-author of it, I worked with Congressman Brown on this. And what it is is a resolution that suggests that the Ten Commandments should be recognized as a unifying force for Western Civilization, and if we have a positive approach toward making sure that we emphasize that—when you talk to the Judeo-Christian heritage of our country, and of Western Civilization, that it really is the Judeo-Christian heritage and point that out, and this resolution, for example, I think would be very proactive in promoting the idea that—I think what it does is declare the first weekend of May to be a Ten Commandments weekend, that we all recognize this, and it might even be a way to reach all Muslims who I believe believe in the Ten Commandments as well. So that would be the type of positive approach where you are building up a recognition of something positive rather than just pointing out the negative. And anyone that can help promote that bill, for example, that would be a very positive thing to do, and it should be a bipartisan effort because there is only one Democrat on the bill right now but it should be a bipartisan effort.

So I would hope that you might lobby some people in Congress and that would be a positive thing as well.

So, Mr. Chairman, those are my responses to this today, and again what we have seen here and was verified by the last witness is that we have had this increase in Holocaust as we know, and we need to recognize that, and we need to counter it both in a positive way, but also in a way that we can actually condemn it, officially condemn it without actually restricting freedom of speech, and that the moral condemnation means a lot, and that is what this committee hearing is all about today, So I will when I got to the—yes, sir?

Rabbi BAKER. I didn't mean to interrupt you, Congressman, but since you said you were going to see the Egyptian Ambassador—

Mr. ROHRABACHER. Right.

Rabbi BAKER [continuing]. I wonder if I could share a thought.

Mr. ROHRABACHER. Please do and I will share that with him.

Rabbi BAKER. I was in Cairo a month ago. This was part of efforts going back, oh, 5 years, to press the Egyptian Government on the preservation of Jewish heritage in Egypt. For example, there are a dozen synagogues in Cairo, but probably only a few dozen Jews are left. To their credit, the Egyptians ultimately follow through. A month ago we had a re-dedication, the Egyptians have essentially restored, reconstructed the original yeshiva of Moses Maimonides, the most famous Jewish scholar who lived in Cairo in the Twelfth Century, and the adjacent synagogue which was built in the Nineteenth Century, a beautiful restoration.

The fact is, however, no Egyptian official participated in the re-dedication event. In fact, press was physically turned away from the event. What is the reason? There is such a conflation between Jews and Israel that doing anything positive, even as political leaders saw there was value in maintaining or restoring this heritage, doing anything positive in this area of its Jewish history so unnerved them in terms of incurring criticism from their own population, or the political elites in their population, they did not want anybody to know.

Mr. ROHRABACHER. I will make sure that I, number one, praise them for allowing this to happen, but number two, mention that they really missed an opportunity to show—to reach out and show some leadership.

One last note here and then I really do have to go, and I am sorry, I think it is really important for us to understand one point, and to make it clear to the people who are listening today that we are not saying that Israel is above criticism, and far too often what has happened is people are suggesting that any criticism of Israel is anti-Semitism and it is not. Israel, just like the United States, it is not anti-Americanism to criticize and to point out our failings, and America has failings too.

So, we should make sure that we also discipline ourselves so that we know that some criticism, there are mistakes that have been made and people didn't live up to certain standards both in our country and every country, and that that type of criticism we should not—those people who are labeling that anti-Semitism are doing a disservice to those of us who are trying to get at some of the hard core stuff that Rabbi Cooper was showing us.

Rabbi COOPER. May I make just one quick——

Mr. CARNAHAN. Mr. Jacobson.

Mr. JACOBSON. I think your point is so vital. When we meet leaders, as others here today, they always raise the question, "Are you saying any criticism of Israel is anti-Semitism?" I am always happy when they ask it because I know they are saying to themselves, "The Jews are trying to stifle the legitimate criticism of Israel by claiming anti-Semitism." We make it clear, and I think that point that you made is terribly important for the credibility of all that we do. Of course not.

Israel is a country like other countries. It has good policies and bad. We may disagree with the criticisms, but that doesn't make it anti-Semitism. What it really is when it is egregious or sometimes even less obvious or certain campaigns such as boycott campaigns, divestment campaigns which are only done against democratic Israel, this leads to legitimate questions as to the motivation behind it.

But I couldn't agree with you more that we have to make clear that we are not talking about normal criticism whether one agrees with that or not.

Rabbi COOPER. Mr. Chairman, if you would just give me——

Mr. CARNAHAN. Yes, Rabbi Cooper.

Rabbi COOPER. The good news is I actually do have to leave, so it will just be 30 seconds.

There is one other part to the equation of anti-Semitism which technically could be brought up under OSCE because the U.S. is a member, but we shouldn't be under any misunderstanding that the issues are not just in Cairo or in Budapest. I have received letters from our fellow California constituents at UC Berkeley in the last 2 days who are facing physical intimidation for standing up for their rights to be heard on campus.

Mr. ROHRBACHER. UCI as well.

Rabbi COOPER. UC Irvine, the UC system, so they are all saying that charity begins at home, it will be for another day and another time but we have an overflow of these problems created elsewhere that are playing out to the detriment of our kids, and of our educational systems right here in the U.S. Thank you, Mr. Chairman.

Mr. CARNAHAN. Thank you. Rabbi, again thank you, and safe travels.

I want to get one quick question in and then go to Mr. Smith, and I want to direct this to Rabbi Baker. As I mentioned in my earlier remarks many countries have made commitments at international conferences over the last decade, most recently last summer in Prague to resolve claims of families whose art was looted during the Holocaust. What steps can we take to countries who are in possession of such works that repudiate these commitments such as Spain as they have done with the claim by Claude Cassirer?

Rabbi BAKER. Yes. You know, I know Claude Cassirer very well. I have been taking up his issue whenever I have had the opportunity with Spanish officials. It is a terrible and very cynical example of the problem we face. Here you have a situation where there was no dispute this was a painting that hung in his grandmother's living room in Berlin, it was part of looted Nazi art. He was raised by his grandmother. He remembers that painting. When it ulti-

mately was discovered to exist, it was, as it is now, a part of the Thyssen Museum in Madrid.

When pressed, the Spanish Government, as you said, they were part of the signatories to the Terezin Declaration, they were also here in Washington in 1998 when there was a set of principles that were adopted on looted art. At first they said, well, this is a private museum; therefore the government doesn't have a role to play.

When the Cassirer family finding no alternative to trying to reach some negotiation tried to go to court in this country suddenly this was no longer a private museum, it was a government museum and they were appealing to the foreign sovereignty law to prevent this suit from going forward.

Now the Spanish Government or the cultural ministry is saying, well, Claude Cassirer's grandmother was paid compensation by Germany. In fact, Germany did make payments, indemnification payments for losses under the Nazis. Usually they were a small percentage of what was the real value, but even Germany today would say if the painting is there and can be returned, which a German institution would do, then whatever payment was made in the past would simply be repaid, but the actual object that was looted would be returned.

So, it is a very cynical argument that has come from Spain. I last addressed it to the Foreign Minister in June last year, and also to the deputy minister of culture, but I have to say I am pleased you have raised it because I think only will there, I think, be a positive resolution—again it will continue through the U.S. courts, it is still a possibility that it will be allowed. The lower court said they should be allowed to bring suit. A panel in the Appeals Court upheld that. Now the full Appeals Court is hearing it. But I think Spanish officials need to hear that it is outrageous and to hear that from you and other Members of Congress.

I do believe there are elements in the Spanish Government, it is not monolithic, that would like to see this resolved, but I think the word needs to get beyond the foreign ministry into the cultural ministry and elsewhere, but I am pleased you raised this issue because it is a terrible and sad case. Mr. Cassirer is, I believe, 89 years old now, and one really just fears that he is not going to see this resolved in his lifetime.

Mr. CARNAHAN. I appreciate your work on that, and I think it is an important issue that needs to continue to be raised.

I now want to recognize Mr. Smith for 5 minutes.

Mr. SMITH. Mr. Chairman, thank you again. Thank you for convening this very important hearing, and, frankly, this panel is made up of extraordinary men and women who are not just experts but highly effective activists who have made the difference in mitigating anti-Semitism. It would be much worse than it is today had it not been for your work over these many years and even decades.

I also want to thank you for your clarity, your wisdom, your passion, your leadership, another wake up call to Congress that we need to redouble our efforts, and today your patience.

Special Envoy Rosenthal earlier spoke of how her work is being integrated into the State Department work, and while mainstreaming I think can be a good thing, there is a flip-side to that coin, and we have seen it at the OSCE, Rabbi Baker, perhaps

you more than anyone else, where it gets subsumed into everything else and loses that—or becomes blunt and loses that sharp edge that it must have.

I am wondering if you could speak to the issue of the office not having dedicated staff. Do you think we should push to try to reverse that? Frankly, I think we should. Rather than having other people within the Department of State as, you know, people that are go-to, but the special envoy can only do so much as one person. I do think she needs other people working for her and with her.

I would ask you if you could touch on how well the office is monitoring broadcasts I mentioned earlier, even Rabbi Baker and Mr. Jacobson and others. When we were in London there were some broadcasts that some watched on satellite television that were filled with anti-Semitism hate. It is routine, but are we capturing it at the office or do we just wait occasionally for someone to bring it forward? I think that is important, and do we have the capability at the office? Maybe there needs to be additional appropriation to make sure that they can capture that data so we know what we are really dealing with.

Let me ask you also to speak, if you would, on south of the border anti-Semitism. Several years ago I met with Edwardo Elstain, and Argentine Jew who lost—he was kidnapped, he was tortured, and lost his business. He has been trying for 38 years to reclaim it. I have raised the issue again and again with our own Government. I have raised it with the Argentine Government. Still he has not been able to receive his confiscated property.

But last August I, along with Jonathan Mann, and we have spoken about him today, with our interparliamentary group, put together a trip to go to Venezuela to meet with the Jewish community there and then hopefully to meet with Chavez's people, maybe Chavez himself, to raise the issue of anti-Semitism and especially in light of Ahmadinejad's ever-closing ties there. I would say for the record that I was profoundly disappointed when our own committee would not authorize my travel even though I had asked several members on the Democrat side to travel with me. We were declined. Jonathan Mann ended up not going, and I wanted to go on my own dime, frankly, but I knew I couldn't get State Department buy-in to get me the meetings that both he and I and our small delegation of staff wanted to have with the Chavez government. So that was an opportunity lost, but hopefully we can put together a trip in the future.

I asked Congressman Klein and Engel, they could not make it. You might recall Chairman Engel had a back problem so he really could not make it for reasons of heat. But it was a missed opportunity because that problem there is festering and we all know Chavez is spreading his ill will all over Central and South America, and with it comes anti-Semitism. So I am wondering if you might speak to that concern that you might have with regards to countries south of the border.

Finally, two last things very briefly on the Internet. I don't believe that our First Amendment rights are in any way put in jeopardy and First Amendment free speech rights are injured in any way, shape or form when efforts are taken to take down these anti-Semitism Web sites that are reaching young and impressionable

minds, and those of the neo-Nazi genre and others who then take Holocaust denial as if it were a fact when it is an absolute like. And I am wondering your thoughts on that.

I know Rabbi Cooper's. He and I have had that conversation, but again I don't think the First Amendment is in any way violated when we move, and even as a government not to mention what could be done by Facebook and others unilaterally by themselves.

And on the academics issue, Kirk Weisgetten at one of our meetings who held the position that Rabbi Baker now holds, brought together a group of academics from Germany and it was very insightful, Mr. Chairman, to hear how the institutionalization of anti-semiticide is alive and well and thriving in many of our universities and colleges throughout Germany, United States, and the world.

I don't think we have spent enough time on that issue; that somehow it passes for academic freedom to hold views regarding Jews that are antithetical to anything that we hold dear, and that is tolerance and respect, and it seems to pass it that somehow it is okay. And those academics from Germany brought that out, and I thought in a very profound way at one of our meetings, so the academic situation, if you could touch on that. Thank you.

Rabbi BAKER. Can I respond first? I will try to be quick and touch on a couple of those things.

By the way, with regard to the special envoy, I do not think that this office needs to be in a position to play a first-hand role in collecting and monitoring data and information. Many of our organizations have been doing that. Our information is available. There are others in Europe, in Israel that can as well. I think the real question is what kind of political force can this envoy, can this office make. I think that Hannah Rosenthal is new to this position, but she brings a lot of—clearly—commitment and enthusiasm and personal dedication. I hope that she will find a State Department that is open.

To me the danger is for this to be—pardon the term—“ghettoized.” We have an office over here that deals with this issue but it is left separately. Will this be taken up at a high level at bilateral meetings by the Secretary or her deputies? I think that is the question, and the degree to which the special envoy can push inside for that will be a measure of her success.

I think if we recall that the bill that created that office also called for this first report, an international report on anti-Semitism. There was something very powerful in a U.S. Government report that indicated country by country the status of the situation, and I am sure Ken Jacobson recalls or had the experience, I know I did, of being in different countries. This report was read very carefully, at least that section in that country. Usually the U.S. Ambassador was called in. They were concerned about it.

We have not done that. I don't know whether this office will think about doing it, and maybe that would require more staff, but I think it is something to be considered rather than having it within a larger, as you say as we saw in the OSCE, subsumed in a human rights report or international religious freedom report, something that holds it out specifically.

My only other comment will be on Latin America, on Venezuela. I think we all know Venezuela is a very, very serious problem. At our annual meeting here in Washington in 2 weeks we will have 25 Jewish leaders from Latin America, and we will have Jewish community leaders from Venezuela. Their stories are wrenching. I mean, because here you have—it is not simply a question of popular attitudes, but you have a political leader that is essentially making anti-Semitism a piece of his agenda and he is a very aggressive figure.

The degree to which you directly or with your colleagues in other countries can try and put some pressure, the United States may not have much leverage on Venezuela, but at least to address this would surely be welcomed. Thank you.

Mr. CARNAHAN. Mr. Jacobson?

Mr. JACOBSON. I was going to make a similar comment about the envoy's office. It seems to me that the single biggest step taken was exactly this kind of coverage in the State Department's human rights report on the subject of anti-Semitism. I think both symbolically and very practically that appearance at that initial stage was remarkable, and to me that would be the major step forward, and that again as Andy suggested could involve staff. I don't know exactly. It clearly takes a lot of hands-on work, but it can be done and I think knowing that that can be done has already an impact on anti-Semitism around the world, so I would echo Andy's comments about that.

You raised a lot of subjects—let me just take a second about the academic world. There is no doubt that the fear that some of us have that American universities will go the way of Europe. I remember we had a meeting with the Israeli Ambassador to Great Britain a few months back and he said it is an ironic situation that Israel's situation is a situation of Jews operating very well in West European countries at the top level. In other words, if you look at Gordon Brown, you look at Sarkozy, you look at Angela Merkel, you look at Berlusconi, you look at all of them are not only friends of Israel but people have spoken out on the subject of anti-Semitism.

When you go below that to the bureaucracies, to the intellectuals, to the nongovernmental organizations, to the universities, you find not only is Israel's image presented in a very negative way, but this has a real impact on attitudes toward Jews on the street as well.

So this is a great thing we have to worry about. I don't think America is anywhere close to that even though we have examples of that. But I agree with you, we need to start addressing that problem in a more serious way before it ever gets to the point, and I think it is the job of Congress, I think it is the job of the administration, I think it is a job of nongovernmental institutions, so I couldn't agree with you more.

Venezuela Andy spoke to. We also have issued a number of reports. The key for our working with Jewish communities, whether it is in Venezuela or Iran or Argentina or whatever, historically has always been to be in consultation with those communities because, as much as we care deeply, they have to live with the consequences of what we do here. We want to make sure we are on the same

wavelength. Sometimes the communities feel so endangered that they can't really express their true feelings, and we have to take that into consideration. That has happened in the Soviet Union as we remember all those years, so we have to weigh and balance that. But I agree with you, that is one of the great concerns.

The last point on the Internet; we take very seriously First Amendment issues, so I want to just state that for the record for us at ADL. We are the American representative of an international group called INACH, the International Network Against Cyber Hate, and most of the coordinating groups are European and they say to us, you Americans are crazy. You know, you have this First Amendment, and we kick them off our sites by our hate speech lawyers, and then they go to American sites. What are we going to do about you?

We say, well, we value the First Amendment, but we also agree, and I also agreed with Hannah Rosenthal's comment that you fight bad speech with good speech. That is a basic ADL concept for the world at large. For the Internet, it is a very different proposition, so we know you have to do more.

We have been working with Google, with Microsoft, with many of them to, first of all, get their attention to ensure this is a serious issue for them, and you cannot simply avoid it by talking about the First Amendment, which we all support. You have to work out serious programs, whether it is labeling, whether it is rules of the road, enforcing rules of the road, and I think we have gotten their attention. We have had meeting with them in the west coast, and at least they know that it is an issue for them.

So I don't have simple answers because the First Amendment issues are profound issues for us. We tried a hate filter out once for parents, at least to protect the Web they have for pornography. It did not take off the first time, but that may be another way to go, which is in the First Amendment, protecting children who are the main ones exposed to this hate.

So I appreciate you raising all these comments, and I think for many of us these are priorities as well.

Ms. MASSIMINO. I just had one quick thought on the capacity question that you raised, Congressman Smith—

Mr. SMITH. Yes.

Ms. MASSIMINO [continuing]. Because I do think it is an important one. There is no question in my mind that Hannah Rosenthal brings enormous energy to this position, and that she has the competence of senior leaders of the State Department, which is a good thing.

We are going to be watching very closely her capacity to effectively deliver some concrete results and I think we should judge the need for greater capacity on whether or not she is able to achieve that through her work.

You have heard, I think, several people mention this high-level review conference in Kazakhstan in June. If there is high-level participation by the United States in that conference, that will be a good sign.

I also think that we should look to sort of the whole of government approach on anti-Semitism. It is not just the State Department. I think there is a lot that the FBI, the Department of Justice

can do in terms of technical assistance, and they are doing some of that now, but I think there is a lot more they can do to help investigation and prosecution of hate crime.

Then, as I mentioned in my testimony, the importance of, you know, the degree to which monitoring really, and information comes from people who are close to the ground, but greater funding for civil society groups who are both doing the monitoring and working together across community to advance solutions here I think is something else that we should be pushing. Thanks.

Mr. CARNAHAN. Thank you. I wanted to, I guess, ask a broader question for the panel. We heard several references today to 2009 being one of the worst years in terms of anti-Semitic activity. I guess my question is, do digging into the reasons that you believe account for that, is this more of a spike in this activity or do we see this more as a trend? So part of my question is direction, and I guess part of it is what do you see behind it, and we will start from—

Mr. JACOBSON. I will go first.

Mr. CARNAHAN. Mr. Jacobson.

Mr. JACOBSON. I would suggest, Mr. Chairman, that it is both a spike and a trend. The spike factor, I think, in 2009 particularly related to the war in Gaza. In the U.K. during the 3 weeks of the war in Gaza, there were 220 anti-Semitic incidents, many of a violent kind many of them. In France during that period of time there were 113 incidents, and I would make clear that, in my view, it is not the cause of the incidents but the occasion for such anti-Semitic expressions.

So I think there is an element of a spike, but going back to my comments and my earlier remarks I think that each time we have a spike and a spasm, and an occasion, whether it is the war in Lebanon, the war in Gaza, Intifada, the financial crisis in the world, which is another example, each time we have one more spike we allow that unpeeling that I referred to, the sense that, well, anti-Semitism is not beyond the pale, whether it is because a lot of time has passed, whether it is because all the attacks on Israel have made people more comfortable with it, whether it is the comparing of Jews or Israel to Nazis today, all of which create the spike turned into a trend I guess is the way I would put it, and in effect, I think we do have a trend.

It is a very, very disturbing one, and as I said earlier my great concern is that those inhibitions, which have manifested themselves for 50–60 years around anti-Semitism, are disappearing. But to inhibit the expressions of anti-Semitism I feel they have been eviscerated to a large extent, and therefore my concern is that we will be heading into a period where this trend will increase rather than decrease. I think the leadership of the United States in this matter has been profound, and therefore I think all of us who have worked so closely with you understand that it is only the work that we do together that can really begin to inhibit such kind of a trend.

Mr. CARNAHAN. Rabbi Baker.

Rabbi BAKER. Look, I think we know, at least if you are looking at reports on incidents, that the reason the numbers were so high in 2009 was the fact that the Gaza war triggered this, but I don't think that is particularly a reason to be sanguine even though the

war is over and those numbers diminished during the latter part of 2009.

If you keep in mind, in 2002, 2003, 2004, when we really saw a dramatic increase in France and in some other Western European countries, and governments at the time really wanted to deny this was anti-Semitism, and label it as somehow generated politically because of Middle East events. It took awhile before those forces would come together and at least acknowledge that whatever the politics were or whatever the events were in the Middle East they did not justify attacks on a school bus of Jewish kids in a Paris suburb, for example.

So when you keep in mind that much work was done, I made reference to the Berlin declaration of the OSCE conference as one example of it, governments becoming mindful of this problem. What was depressing was when we had these issues triggering a new round of attacks in 2009, where were the people, where were the lessons that were supposedly learned 5 years ago? I mean, where was the strong political voice speaking out and efforts to tamp these incidents down?

I don't want to say there were no voices, but for the most part it did not emerge in the way we had hoped. So in that sense it was, I don't want to say trend or spike, but it was a recognition that we still had much more to do. And then when I look in the OSCE area, I think Eastern Europe is a different situation. I don't think events in the Middle East really have that much impact or in some cases even any impact on anti-Semitism in these countries, but in many cases they didn't really deal with the Holocaust era past. They still have the old anti-Semitism in many cases unreconstructed, and these democracies are still rather fragile.

So again if one looks at Hungary and the recent election, here we have a Jobbik Party, the party that emerged from nowhere 1.5 years ago, first in the European Parliament, and now in the Hungarian Parliament, an unembarrassed anti-Roma and anti-Semitic platform, essentially a party that grew out of a fascist-like Hungarian guard, a group of people dressing in the uniforms modeled after the fascist Arrow Cross, parading by torch light primarily in towns with a high Roma population. I mean, it is a terrible picture. So I think we see we have a lot of work to do in these areas as well.

Mr. CARNAHAN. Thank you. Ms. Massimino.

Ms. MASSIMINO. Yes. I think we view this as a longer term upward trend in violence with some periodic spikes like the one we saw in 2009. But it is part of a larger trend of rising violence across the board, hate crime, and I think what that underscores for me is the need to invest in long-term solutions, really getting at, you know, going to communities and education, building the legal framework to go after perpetrators, building the structures like we have begun to do in the OSCE and in other government entities to create obligations to monitor and report so that we can better answer the question of whether this is a trend or a spike.

I think the lesson that we take from this is that we really need to invest in longer term solutions across the board to deal with hate violence.

Mr. CARNAHAN. Which is a great segue to my last question, and that is, you know, we mentioned the provisions in the Universal Declaration of Human Rights, also certainly there are provisions in the International Covenant on Civil and Political Rights. I guess we have several of these international covenants, agreements, principles that are out there, but to what extent are these incidents that we have talked about today have anti-Semitism being treated like international human rights violations in terms of the broader context?

Ms. MASSIMINO. Well, I think that that is part of what Ken was talking about, is that as much as the whole framework of international human rights standards and protections grew out of the horrors of World War II and the Holocaust, in particular, there has been an erosion in thinking about hate violence across the board but anti-Semitism hate violence in particular as a human rights violation. I think we have to reclaim that in order to kind of reinstitute, as Ken talked about, the shame of participating or condoning or remaining silent in the face of these violations. That is part of why we as a human rights organization that works on many different issues thought it was important to make this a priority in our work, to underscore the fact that this is not just disparate victims groups, the Roma work on—the violations against the Roma, the Muslims work on anti-Muslim violence, but to join together and identify this trend as a comprehensive one that needs comprehensive solutions, and one that really involves violations of very fundamental human rights. Governments needs to see it that way, and the U.S. has an opportunity to lead the way in that.

Mr. JACOBSON. Yes, I must say that we at ADL and others, I believe, really expressed appreciation to Human Rights First for doing those reports because it was unique in the human rights community, or at least in my understanding, in the sense of making anti-Semitism a priority as a human rights issue. It should be a priority for the human rights community, and it has not been, and I think part of the importance of this hearing is to make that very point; that not only is anti-Semitism a threat to Jews, it is threat to human rights of the world, and anyone who is serious about human rights and doesn't take up the issue of global anti-Semitism today, particularly because of the origins of the human rights international body of law, is not really contributing to human rights around the world.

Rabbi BAKER. I would only add that I think the very way in and reason we are able to get this issue addressed at the OSCE and see the evolution in the attention it has received is precisely the recognition that this is a human rights issue. So I think it is a reminder of how when we bring that forward it can have very pragmatic, tangible, and even positive results.

Mr. CARNAHAN. Thank you. I want to recognize——

Mr. SMITH. Thank you, Mr. Chairman.

Mr. CARNAHAN [continuing]. My colleague, Mr. Smith, for some final questions.

Mr. SMITH. Just one really. And if I could you have mentioned the importance like at the OSCE, Rabbi Baker, of anti-Semitism finally being treated like a human rights issue. How would each of you rate the work of the Human Rights Council, especially now

that we have a seat at the council, I have met personally with a lot of the ambassadors from both the Latin countries and from the African countries specifically on this obsession of the Human Rights Council to focus on Israel, Israel, Israel. It is not unlike, as we all know, the Human Rights Commission that this was supposed to be the reform and the replacement reform, it certainly has not panned out that way. How would you rate that, and what would be your recommendations to us and the Executive Branch on the Human Rights Council?

Mr. JACOBSON. Well, I would rate a bad "F" of the Human Rights Council, but that is not coming to a definite conclusion about the policy of this administration concerning participation. I would say that they need to take into consideration that their first experience with the Human Rights Council and American participation has been a very bad one, in my view, and it has been a failure, but I am not coming to the conclusion that it automatically has to remain that way.

I think there needs to be a reassessment of the kind of role that America plays and eventually you may have to question the role at all, but I think at least the experience of this last year, year and a half or however long we have now been participating, should say, you know, it has not really worked the way we have done it so far. We ought to take a look at other ways because the truth is some people would argue that the Human Rights Council has even been worse than the Human Rights Commission.

We could have a discussion about that, but it surely has not been an improvement. So I would say a rating for the Human Rights Council a sure "F." The question of the American role, I am not dismissing. There is a good argument to say that we should be there and have an impact, and I think you could make that argument, but the question is how are we going to go about doing it in a way that has been different over this first year, and I think that would be an important role for this committee to raise with members of the administration, not just to say you made a mistake by doing it, but saying what can we do so in a way it will have a real impact.

Rabbi BAKER. In a sense I am only echoing what Ken has said. I think we are all enormously disappointed with the Human Rights Council. It is perhaps no better than the commission, and its approach certainly vis-a-vis Israel is outrageous.

What usefulness, effectiveness we have now that the U.S is engaged I think is still an open question. Engagement by itself in many areas doesn't automatically mean a change in policy on the other side. I don't think we would take issue with the principle that to be engaged could result in certain positive things, but I think everyone would say the best right now one can see is damage control, and there is a lot of damage to be controlled.

Ms. MASSIMINO. Well, we have a lot of problems with the Human Rights Council and one of them is its obsession with Israel, but there are many other problems too. Some states actively trying to underline the independence of the U.N. experts, the inability of the council to respond in real time to serious violations. There are a lot of problem with the council.

That said we have been very supportive of the administration's attempts to reengage and to join the council. We don't think it can be improved from the outside, that is for sure. The question I think is still open whether it can be improved at all to the degree that will justify engagement. But now is a very important movement for the United States to be in there. There is going to be 5-year reviews, and a lot of the spoilers on the Human Rights Council are allies of the U.S. Government. So if we can have an impact, you know, now is the time to do that.

I think that it is clear to us that better, stronger human rights machinery at the U.N. is strongly in the United States' interest, and in the world's interest. The world needs that. I think we are all looking, searching for some evidence of concrete improvement as a result of the engagement. I think it is going to be a very slow road toward that.

But, you know, when I talk to my colleague human rights organizations around the world they largely welcome U.S. engagement there as a voice to push back on these governments that many of my friends are trying to operate in. So I think for that reason alone it is useful, but I hope that when we are looking at this 2-3 years down the road we have some more actual victories to celebrate.

Mr. CARNAHAN. I think that hopeful attitude is a good one, and I, too, am a strong proponent of engagement. We have not seen all the results we would like yet but we are hopeful and determined that we can figure out ways where we can.

I just want to genuinely thank all of you for your time, for your expertise, and especially in this long afternoon for your patience. We really appreciate it. And I think some of the comments here today are going to be very useful to us in going forward with generating some additional ideas. I think the talk about the lost inhibitions that are out there I think also have some interesting coincidence with kind of lost inhibitions with people and what they do on the Internet generally, I think certainly we need to look at strategies there.

In terms of the broader approach to looking at human rights, and all minority groups, I think there is a certain power in that collective sense of looking out for those that are being really discriminated again.

So, again, really appreciate what you all have done here today, your time. We definitely look forward to working with you in the future. Take care. We are adjourned.

[Whereupon, at 6:09 p.m., the subcommittee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515-0128

**SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS, HUMAN
RIGHTS AND OVERSIGHT**
Russ Carnahan (D-MO), Chairman

April 12, 2010

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Subcommittee on International Organizations, Human Rights and Oversight, to be held in **Room 2172 of the Rayburn House Office Building (and available live, via the WEBCAST link on the Committee website at <http://www.hcfa.house.gov>)**.

DATE: Wednesday, April 14, 2010

TIME: 2:00 p.m.

SUBJECT: Combating Anti-Semitism: Protecting Human Rights

WITNESSES: Panel I

Ms. Hannah Rosenthal
Special Envoy to Monitor and Combat Anti-Semitism
U.S. Department of State

Panel II

Mr. Kenneth Jacobson
Deputy National Director
Anti-Defamation League

Rabbi Andrew Baker
Director of International Jewish Affairs
American Jewish Committee

Ms. Elisa Massimino
President and Chief Executive Officer
Human Rights First

Rabbi Abraham Cooper
Associate Dean
Simon Wiesenthal Center

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON IOHRO MEETING

Day Wednesday Date 4/14/2010 Room 2172

Starting Time 2:13 pm Ending Time 6:08 pm

Recesses I (3:15p. to 4:44p)

Presiding Member(s) Chairman Carnahan; Ranking Member Rohrabacher

CHECK ALL OF THE FOLLOWING THAT APPLY:

Open Session ☒

Electronically Recorded (taped) ☒

Executive (closed) Session ☐

Stenographic Record ☒

Televised ☒

TITLE OF HEARING or BILLS FOR MARKUP: (Include bill number(s) and title(s) of legislation.)

Combating Anti-Semitism: Protecting Human Rights

SUBCOMMITTEE MEMBERS PRESENT:

Rep. Carnahan; Rep. Rohrabacher; Rep. Ellison

NON-SUBCOMMITTEE MEMBERS PRESENT: (Mark with an * if they are not Members of IHRC.)

Rep. Chris Smith, Rep. Klein

HEARING WITNESSES: Same as meeting notice attached? Yes ☒ No ☐

(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)

Rep. Klein statement; Rep. Poe QFR; Digital Terrorism and Hatred CD-ROM, "A Brief Guide to Al-Haram Al-Sharif" ... see additional sheet.

ACTIONS TAKEN DURING THE MARKUP: (Attach copies of legislation and amendments.)

RECORDED VOTES TAKEN (FOR MARKUP): (Attach final vote tally sheet listing each member.)

Subject	Yeas	Nays	Present	Not Voting

TIME SCHEDULED TO RECONVENE _____

or
TIME ADJOURNED 6:08 pm


Subcommittee Staff Director

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON IOHRO

HEARING:

Combating Anti-Semitism: Protecting Human Rights

STATEMENTS FOR THE RECORD:

"Anti-Semitism: Part of a Global Pattern of Harassment of Religious Minorities"; Human Rights First and ADL joint report "What the ODIHR's 2008 Hate Crime Report Reveals about States' Implementation of OSCE Commitments"; "Anti-Semitic Violence Hate Crime Survey Fact Sheet."

